

Highly Confidential - Subject to Further Confidentiality Review

Page 1

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL ) MDL No. 2804  
PRESCRIPTION OPIATE )  
LITIGATION ) Case No.  
 ) 1:17-MD-2804  
 )  
THIS DOCUMENT RELATES TO ) Hon. Dan A. Polster  
ALL CASES )  
 )

— — —  
Friday, December 14, 2018  
— — —

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
CONFIDENTIALITY REVIEW  
— — —

Videotaped Deposition of PATSY LITTLE,  
held at Stone Pigman Walther Wittmann LLC,  
909 Poydras, Suite 3150, New Orleans,  
Louisiana, commencing at 8:06 a.m., on the  
above date, before Michael E. Miller, Fellow  
of the Academy of Professional Reporters,  
Registered Diplomate Reporter, Certified  
Realtime Reporter and Notary Public.

— — —  
GOLKOW LITIGATION SERVICES  
877.370.3377 ph | 917.591.5672 fax  
deps@golkow.com

Highly Confidential - Subject to Further Confidentiality Review

<p style="text-align: center;">Page 2</p> <p>1 APPEARANCES: 2 CARELLA BYRNE CECCHI OLSTEIN BRODY &amp; 3 AGNELLO PC 4 BY: ZACHARY BOWER, ESQUIRE zbower@carellabyrne.com CAROLINE F. BARTLETT, ESQUIRE cbartlett@carellabyrne.com MICHAEL INNES, ESQUIRE minnes@carellabyrne.com (via teleconference) DONALD ECKLUND, ESQUIRE decklund@carellabyrne.com (via teleconference) 5 Becker Farm Road Roseland, New Jersey 07068 (973) 994-1700 Counsel for MDL Plaintiffs</p> <p>10 JONES DAY BY: TARA A. FUMERTON, ESQUIRE tfumerton@jonesday.com SCOTT B. ELMER, ESQUIRE selmer@jonesday.com 77 West Wacker Chicago, Illinois 60601 (312) 782-3939 Counsel for Walmart and The Witness</p> <p>15 KIRKLAND &amp; ELLIS LLP BY: ZACHARY A. CIULLO, ESQUIRE zac.ciullo@kirkland.com 300 North LaSalle Chicago, Illinois 60654 (312) 862-2000 Counsel for Allergan Finance LLC</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: center;">Page 4</p> <p>1 APPEARANCES: 2 MARCUS &amp; SHAPIRA LLP BY: DARLENE M. NOWAK, ESQUIRE nowak@marcus-shapira.com (via teleconference) 4 One Oxford Center 35th Floor 5 Pittsburgh, Pennsylvania 15219 (412) 471-3490 6 Counsel for HBC Services</p> <p>7</p> <p>MORGAN LEWIS &amp; BOCKIUS LLP BY: MATTHEW R. LADD, ESQUIRE matthew.ladd@morganlewis.com (via teleconference) 101 Park Avenue New York, New York 10178 (212) 309-6000 Counsel for Rite Aid</p> <p>12</p> <p>13 ALSO PRESENT: 14 JENNIFER B. BECHET, ESQUIRE Walmart Legal</p> <p>15</p> <p>16 VIDEOPHOTOGRAPHER: 17 DAVID LANE, Golkow Litigation Services</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: center;">Page 3</p> <p>1 APPEARANCES: 2 REED SMITH LLP BY: NICHOLAS R. RODRIGUEZ, ESQUIRE nrodriguez@reedsmith.com (via teleconference) 4 2500 One Liberty Place 1650 Market Street 5 Philadelphia, Pennsylvania 19103 (215) 851-8281 6 Counsel for AmerisourceBergen</p> <p>8 ARNOLD &amp; PORTER KAYE SCHOLER LLP BY: DAVID D. FAUVRE, ESQUIRE david.fauvre@arnoldporter.com (via teleconference) 10 601 Massachusetts Avenue, N.W. Washington, D.C. 20001 (202) 942-5000 11 Counsel for Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc.</p> <p>12 COVINGTON &amp; BURLING LLP BY: SARA SUNDERLAND, ESQUIRE ssunderland@cov.com (via teleconference) 13 One Front Street 14 San Francisco, California 94111 (415) 591-6000 15 Counsel for McKesson Corporation</p> <p>16 WILLIAMS &amp; CONNOLLY LLP BY: WILL HAWKINS, ESQUIRE whawkins@wc.com (via teleconference) 17 725 Twelfth Street, N.W. Washington, D.C. 20005 (202) 434-5000 18 Counsel for Cardinal Health</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: center;">Page 5</p> <p>1 INDEX</p> <p>2 APPEARANCES 2</p> <p>3 PROCEEDINGS 10</p> <p>4</p> <p>5 EXAMINATION OF PATSY LITTLE:</p> <p>6 BY MR. BOWER 12</p> <p>7</p> <p>8 CERTIFICATE 442</p> <p>9</p> <p>10 ERRATA 444</p> <p>11 ACKNOWLEDGMENT OF DEONENT 445</p> <p>12 LAWYER'S NOTES 446</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

2 (Pages 2 to 5)

Highly Confidential - Subject to Further Confidentiality Review

Page 6			Page 8		
1	DEPOSITION EXHIBITS			DEPOSITION EXHIBITS	
2	PATSY LITTLE			3	Walmart November 2011 Redacted 314
3	December 14, 2018			4	Little E-mail(s)
4	NUMBER	DESCRIPTION	PAGE	5	Exhibit 20 ACTAVIS0338793 - ACTAVIS0338796
5	Walmart	Patsy Little LinkedIn Bio	23	6	Walmart June 2012 Redacted E-mail(s) 327
6	Little	[No Bates]		7	Little Acquired_Actavis_00382802 - Exhibit 21 Acquired_Actavis_00382807
7	Exhibit 1			8	Walmart June 2012 E-mail(s) 336 Little w/Attachment(s)
8	Walmart	12/20/05 Mallinckrodt Price	78	9	Exhibit 22 ALLERGAN_MDL_00144683 - ALLERGAN_MDL_00144685
9	Little	Decrease Letter		10	Walmart November 2011 E-mail(s) 341
10	Exhibit 2	WMT_MDL_000025989 -		11	Little ACTAVIS0338574 - Exhibit 23 ACTAVIS0338579
11	WMT_MDL_000025990			12	Walmart June 2012 Redacted E-mail(s) 354
12	Walmart	5/6/09 Walmart Letter	105	13	Little ALLERGAN_MDL_00231481 - Exhibit 24 ALLERGAN_MDL_00231485
13	Little	PAR_OPIOID_MDL_000040255 -		14	Walmart July 2012 E-mail(s) 369
14	Exhibit 3	PAR_OPIOID_MDL_000040256		15	Little WMT_MDL_000037807 - Exhibit 25 WMT_MDL_000037808
15	Walmart	September 2009 E-mail(s)	128	16	Walmart August 2012 E-mail(s) 373
16	Little	ACTAVIS0639662 -		17	Little WMT_MDL_000033418 - Exhibit 26 WMT_MDL_000033424
17	Exhibit 4	ACTAVIS0639663		18	Walmart 8/23/12 Mallinckrodt Letter 388
18	Walmart	September 2009 E-mail(s)	143	19	Little WMT_MDL_000025900
19	Little	w/Attachment(s)		20	Exhibit 27
20	Exhibit 5	Acquired_Actavis_00391960 -		21	Walmart August 2015 E-mail(s) 393
21	WMT_MDL_000021802	Acquired_Actavis_00391964		22	Little WMT_MDL_000021757 - Exhibit 28 WMT_MDL_000021759
22	Walmart	10/5/10 Endo Letter	166	23	Walmart December 2015 E-mail(s) 405
23	Little	WMT_MDL_000021802		24	Little w/Attachment(s)
24	Exhibit 6			25	Exhibit 29 WMT_MDL_000007243 - WMT_MDL_000007246
25	Walmart	November 2009 Redacted	164		Walmart June 2016 E-mail(s) 411
26	Little	E-mail(s)			Little MNK-T1_0004830712
27	Exhibit 7	Acquired_Actavis_00224033 -			Exhibit 30
28	Walmart	September 2009 E-mail(s)	179		
29	Little	w/Attachment(s)			
30	Exhibit 8	WMT_MDL_000011737 -			
31	WMT_MDL_000011739				
32	Walmart	October 2009 E-mail(s)	185		
33	Little	w/Attachment(s)			
34	Exhibit 9	WMT_MDL_000011750 -			
35	WMT_MDL_000011751				
36					
37					
38					
39					
40					
41					
42					
43					
44					
45					
46					
47					
48					
49					
50					
51					
52					
53					
54					
55					
56					
57					
58					
59					
60					
61					
62					
63					
64					
65					
66					
67					
68					
69					
70					
71					
72					
73					
74					
75					
76					
77					
78					
79					
80					
81					
82					
83					
84					
85					
86					
87					
88					
89					
90					
91					
92					
93					
94					
95					
96					
97					
98					
99					
100					
101					
102					
103					
104					
105					
106					
107					
108					
109					
110					
111					
112					
113					
114					
115					
116					
117					
118					
119					
120					
121					
122					
123					
124					
125					
126					
127					
128					
129					
130					
131					
132					
133					
134					
135					
136					
137					
138					
139					
140					
141					
142					
143					
144					
145					
146					
147					
148					
149					
150					
151					
152					
153					
154					
155					
156					
157					
158					
159					
160					
161					
162					
163					
164					
165					
166					
167					
168					
169					
170					
171					
172					
173					
174					
175					
176					
177					
178					
179					
180					
181					
182					
183					
184					
185					
186					
187					
188					
189					
190					
191					
192					
193					
194					
195					
196					
197					
198					
199					
200					
201					
202					
203					
204					
205					
206					
207					
208					
209					
210					
211					
212					
213					
214					
215					
216					
217					
218					
219					
220					
221					
222					
223					
224					
225					
226					
227					
228					
229					
230					
231					
232					
233					
234					
235					
236					
237					
238					
239					
240					
241					
242					
243					
244					
245					
246					
247					
248					
249					
250					
251					
252					
253					
254					
255					
256					
257					
258					
259					
260					
261					
262					
263					
264					
265					
266					
267					
268					
269					
270					
271					
272					
273					
274					
275					
276					
277					
278					
279					
280					
281					
282					
283					
284					
285					
286					
287					
288					
289					
290					
291					
292					
293					
294					
295					
296					
297					
298					
299					
300					
301					
302					
303					
304					
305					
306					
307					
308					
309					
310					
311					
312					
313					
314					
315					
316					
317					
318					
319					
320					
321					
322					
323					
324					
325					
326					
327					
328					
329					
330					
331					
332					
333					
334					
335					
336					
337					
338					
339					
340					
341					
342					
343				</	

Highly Confidential - Subject to Further Confidentiality Review

<p style="text-align: center;">Page 10</p> <p>1                   PROCEEDINGS 2                   (December 14, 2018 at 8:06 a.m.) 3                   THE VIDEOGRAPHER: We're now on 4                   the record. My name is David Lane, 5                   videographer for Golkow Litigation 6                   Services. Today's date is 7                   December 14th, 2018. Our time is 8                   8:05 a.m. 9                   This deposition is taking place 10                  in New Orleans, Louisiana in the 11                  matter of National Prescription Opiate 12                  Litigation. Our deponent today is 13                  Patsy Little. 14                  Counsel, please introduce 15                  yourselves and state whom you 16                  represent. 17                  MS. FUMERTON: Tara Fumerton on 18                  behalf of Walmart and the witness, and 19                  with me today is Scott Elmer and 20                  Jennifer Bechet. 21                  MR. CIULLO: Zachary Cuillo 22                  from Kirkland &amp; Ellis on behalf of 23                  Allergan Finance LLC. 24                  MR. BOWER: Zach Bower on 25                  behalf of plaintiffs in the MDL.</p>	<p style="text-align: center;">Page 12</p> <p>1                   will now swear in the witness. 2                   PATSY LITTLE, 3                   having been duly sworn, 4                   testified as follows: 5                   EXAMINATION 6                   BY MR. BOWER: 7                   Q. Good morning, Ms. Little. How 8                   are you today? 9                   A. Good morning. Great. 10                  Q. Thank you for being here. We 11                  appreciate it. 12                  Have you ever been deposed 13                  before? 14                  A. I have not. 15                  Q. You have not, okay. So I'm 16                  sure your counsel went over a few ground 17                  rules for you, but just so we're all on the 18                  same page, let's talk about that for a 19                  minute. 20                  I need you to answer if it's a 21                  yes-or-no question verbally, so in other 22                  words, don't nod your head, so the court 23                  reporter can take down your answer. Do you 24                  understand that? 25                  A. Yes, I do.</p>
<p style="text-align: center;">Page 11</p> <p>1                   MS. BARTLETT: Caroline 2                   Bartlett on behalf of plaintiffs in 3                   the MDL. 4                   THE VIDEOGRAPHER: Will counsel 5                   on the phone please introduce 6                   themselves. 7                   MR. HAWKINS: This is Will 8                   Hawkins from Williams &amp; Connolly on 9                   behalf of Cardinal Health. 10                  MR. LADD: This is Matthew Ladd 11                  of Morgan Lewis &amp; Bockius on behalf of 12                  Rite Aid. 13                  MS. SUNDERLAND: This is Sara 14                  Sunderland with Covington &amp; Burling on 15                  behalf of McKesson. 16                  MR. FAUVRE: David Fauvre from 17                  Arnold &amp; Porter on behalf of the Endo 18                  and Par defendants. 19                  MS. NOWAK: Darlene Nowak, 20                  Marcus &amp; Shapira, on behalf of HBC 21                  Services. 22                  MR. INNES: Michael Innes on 23                  behalf of plaintiffs in the MDL. 24                  THE VIDEOGRAPHER: The court 25                  reporter today is Mike Miller, and he</p>	<p style="text-align: center;">Page 13</p> <p>1                   Q. Okay. And in addition, I know 2                   the court reporter has reminded you of this 3                   already, but please let me finish my 4                   questions. Give your counsel an opportunity 5                   to object before you provide your answers, 6                   okay? 7                   A. Okay. 8                   Q. And as we go through the day, 9                   if you don't understand a question, please 10                  let me know and I will rephrase the question. 11                  Otherwise, if you answer the question, I will 12                  assume that you understood the question. 13                  Do you understand that? 14                  A. Yes, I do. 15                  Q. Okay. Is there anything that 16                  would prevent you from testifying truthfully 17                  today? 18                  A. There is not. 19                  Q. Okay. Do you have any 20                  questions before we begin? 21                  A. I do not. 22                  Q. Okay. Who is representing you 23                  here today? 24                  A. Tara and Scott. 25                  Q. Okay. When was the first time</p>

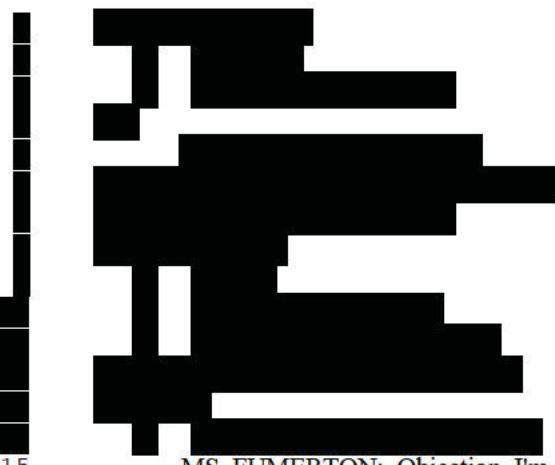
Highly Confidential - Subject to Further Confidentiality Review

Highly Confidential - Subject to Further Confidentiality Review

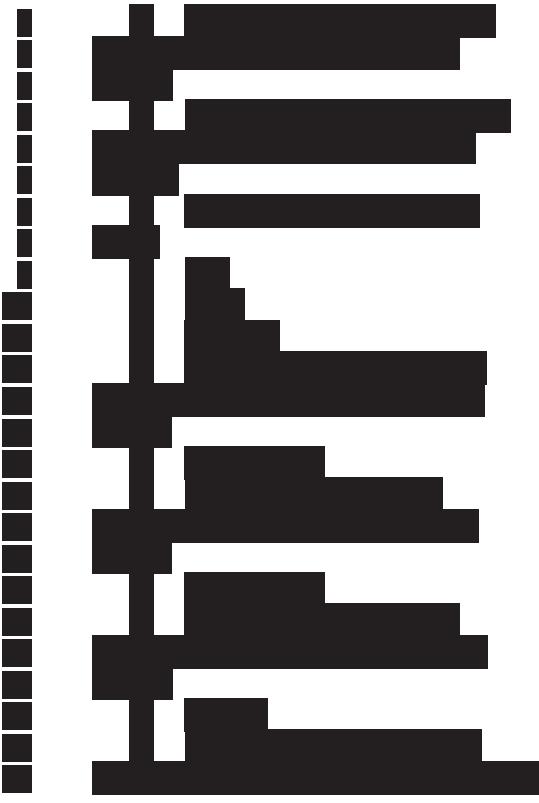
Page 18	Page 20
<p>1 to ask her general --</p> <p>2 MR. BOWER: I'm not -- you</p> <p>3 can --</p> <p>4 MS. FUMERTON: No, no, I'm</p> <p>5 telling you --</p> <p>6 MR. BOWER: You can make your</p> <p>7 objection and we can move own.</p> <p>8 MS. FUMERTON: Well, no, I'm</p> <p>9 going to instruct her not to answer.</p> <p>10 I'm telling you --</p> <p>11 MR. BOWER: You're instructing</p> <p>12 her not to answer that?</p> <p>13 MS. FUMERTON: -- if you start</p> <p>14 to go into -- this is not a deposition</p> <p>15 about her current employer. I think</p> <p>16 general background information is</p> <p>17 okay. You can ask her general</p> <p>18 questions of what she does, but their</p> <p>19 counsel is not here, and she's here</p> <p>20 as -- in her capacity as a former</p> <p>21 Walmart employee. And so that's why</p> <p>22 I'm telling you what my position is</p> <p>23 with respect to this.</p> <p>24 MR. BOWER: Tara, I'm not</p> <p>25 wasting time on the record all day</p>	<p>1 Q. Are you refusing to answer that</p> <p>2 question?</p> <p>3 A. I would prefer to not answer</p> <p>4 the question.</p> <p>5 MS. FUMERTON: I'm going to</p> <p>6 instruct her not to answer the</p> <p>7 question.</p> <p>8 MR. BOWER: And what's your</p> <p>9 basis for that instruction?</p> <p>10 MS. FUMERTON: Again, because</p> <p>11 her counsel is not here for her</p> <p>12 current company. I'm respecting her</p> <p>13 today, and I'm -- as her counsel here</p> <p>14 today, I am instructing her not to</p> <p>15 answer that question because you're</p> <p>16 getting into the details of a</p> <p>17 different entity that is not why she's</p> <p>18 here to testify today.</p> <p>19 If you want to ask her about</p> <p>20 whether or not she has -- what her</p> <p>21 role is in her current job, that's</p> <p>22 fine. If you start asking her</p> <p>23 questions about what other people and</p> <p>24 other individuals did at her current</p> <p>25 position or her current employer, I'm</p>
Page 19	Page 21
<p>1 with your speaking objections. You</p> <p>2 can make your objection and we can</p> <p>3 move on.</p> <p>4 MS. FUMERTON: And I'm telling</p> <p>5 you that I'm not going to let you --</p> <p>6 MR. BOWER: So if you want</p> <p>7 to --</p> <p>8 (Simultaneous discussion</p> <p>9 interrupted by the reporter.)</p> <p>10 MR. BOWER: If you want to</p> <p>11 instruct her not to answer, then do</p> <p>12 so. If not, make your objection and</p> <p>13 we'll move on, okay.</p> <p>14 Can you read back the last</p> <p>15 question, please.</p> <p>16 (The following portion of the</p> <p>17 record was read.)</p> <p>18 "QUESTION: Who is responsible</p> <p>19 for purchasing Schedule II narcotics</p> <p>20 for the Louisiana wholesale company? "</p> <p>21 (End of readback.)</p> <p>22 A. I have been instructed by my</p> <p>23 current employer's attorney to not answer</p> <p>24 questions about my current job duties.</p> <p>25 BY MR. BOWER:</p>	<p>1 going to instruct her not to answer.</p> <p>2 MR. BOWER: Move to strike</p> <p>3 counsel's colloquy from the record.</p> <p>4 What is the basis for your</p> <p>5 objection?</p> <p>6 MS. FUMERTON: Because her --</p> <p>7 you have not noticed her up in her</p> <p>8 capacity as a witness for her current</p> <p>9 employer. She has been noticed up and</p> <p>10 you have communicated with me as a --</p> <p>11 and have asked for her in her position</p> <p>12 as a former Walmart employee.</p> <p>13 BY MR. BOWER:</p> <p>14 Q. Are you going to not answer the</p> <p>15 question, ma'am?</p> <p>16 A. Yes, I'm not going to answer</p> <p>17 the question.</p> <p>18 Q. Are you going to refuse to</p> <p>19 answer any questions about your current</p> <p>20 employment?</p> <p>21 A. No, I'm okay -- I'm happy to</p> <p>22 answer questions in what I do in my current</p> <p>23 employment.</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

6 (Pages 18 to 21)

Highly Confidential - Subject to Further Confidentiality Review

<p style="text-align: center;">Page 22</p>  <p>15            MS. FUMERTON: Objection, I'm 16            going to instruct her not to answer. 17            BY MR. BOWER: 18            Q. Are you familiar with that? 19            A. I'm familiar, yes. 20            Q. Are you going to not answer 21            that question as well? 22            MS. FUMERTON: I'm going to 23            instruct her not to answer the 24            question. 25            BY MR. BOWER:</p>	<p style="text-align: center;">Page 24</p> <p>1            that document? 2            A. Yes, I am. 3            Q. Okay. What is that document? 4            A. This is a résumé that I had 5            uploaded to LinkedIn. 6            Q. Okay. And if you notice, 7            there's no Louisiana Wholesale Drug company 8            mentioned on this document; is that correct? 9            A. That's correct. 10          Q. Is there a reason you haven't 11          updated your LinkedIn profile? 12          A. It's just not something that I 13          actively do. 14          Q. When was the last time you 15          updated it? 16          A. I would probably say, and I 17          don't know for sure, but when I uploaded this 18          document, maybe. 19          Q. Okay. You notice under 20          Experience it says February 2014 to present? 21          A. Yes. 22          Q. You see that? 23          So your LinkedIn profile, then, 24          is not accurate; is that correct? 25          A. Correct.</p>
<p style="text-align: center;">Page 23</p> <p>1            Q. Does Ms. Fumerton represent 2            Louisiana Wholesale Drug company? 3            A. No, she does not. 4            Q. Are you going to listen to her 5            instructions? 6            A. Yes. 7            Q. Okay. 8            (Walmart-Little Exhibit 1 9            marked.) 10          MR. BOWER: I would just note 11          for the record while you review 12          Exhibit 1 that we don't know whether 13          my questions are relevant because you 14          won't answer them, so we will keep 15          this deposition open to the extent 16          it's necessary. 17          MS. FUMERTON: I disagree with 18          your characterization because your 19          questions about what Louisiana 20          Wholesale did or did not do is not 21          relevant to this litigation and 22          specifically this deposition. 23          BY MR. BOWER: 24          Q. You've been handed what's been 25          marked as Exhibit 1. Are you familiar with</p>	<p style="text-align: center;">Page 25</p> <p>1            MS. FUMERTON: Objection. 2            Objection, form. 3            And just give me a second. 4            You're both fast talkers, so you need 5            to just pause a second after he asks 6            his question. 7            BY MR. BOWER: 8            Q. Why did you leave Walmart to go 9            to Louisiana Wholesale Drug company? 10          A. There were some personal 11          reasons. My mother-in-law had passed away, 12          and my husband was interested in getting back 13          closer to his family and his father. 14          Q. So at the time you were living 15          in Bentonville when you worked for Walmart? 16          A. Correct. 17          Q. And now you've moved back to 18          Louisiana; is that correct? 19          A. Correct. 20          Q. And that's where you're from 21          originally? 22          A. We lived there the ten years 23          prior to moving to Walmart. 24          Q. And that's where you went to 25          college as well, right?</p>

Highly Confidential - Subject to Further Confidentiality Review

<p style="text-align: center;">Page 26</p> <p>1        A. Yes, correct.      2        Q. I just have a few questions      3 regarding your profile. Other than the fact      4 that you haven't updated it recently, is the      5 experience that you've included here      6 accurate?      7        A. Yes.      8        Q. Okay. I just have a couple of      9 questions then on some of the things you've      10 listed here on your experience. Let's start,      11 I guess, from when you began at Walmart,      12 which was 2007, correct?      13        A. January of 2008.      14        Q. Okay. Did you take a job at      15 Walmart directly after graduating from      16 Louisiana State University?      17        A. No, I graduated from LSU the      18 first time in 1990.      19        Q. Okay.      20        A. I had finished my M.B.A. in May      21 of 2007.      22        Q. What did you do between -- just      23 very briefly, between 1990 and 1993 -- strike      24 that.      25        Were you a registered nurse in</p>	<p style="text-align: center;">Page 28</p> <p>1        After Hours, which was an acute care setting.      2 I worked at St. Elizabeth Hospital and I      3 worked for Infusion Network.      4        Q. Okay. Thank you for that.      5        Then in 2005 you went to      6 Louisiana State to get your master's degree,      7 correct?      8        A. That's correct.      9        Q. Did you begin working with      10 Walmart directly after graduating with your      11 master's degree?      12        A. About six or seven months      13 later.      14        Q. And what were you hired at      15 Walmart to do?      16        A. To be a buyer in the pharmacy      17 department.</p> 
<p style="text-align: center;">Page 27</p> <p>1        1993?      2        A. I think I graduated in '95.      3        Q. Okay.      4        MS. FUMERTON: And you can look      5 at the document too.      6 BY MR. BOWER:      7        Q. Yeah, sure, please look at the      8 document. I'm just trying to get a very      9 brief understanding of your background.      10        I noticed that under Education      11 you have two things listed, Itawamba      12 Community College and then Louisiana State.      13 It appears that you were a Registered Nurse;      14 is that correct?      15        A. I was a Registered Nurse, and      16 this date of completion of 2005 is not      17 accurate. It was 1995.      18        Q. Okay. That clears that up.      19        Were you a practicing nurse      20 from 1995 until 2005 approximately?      21        A. Until 2007.      22        Q. Okay. And where were you      23 employed during that time period?      24        A. There were multiple places. I      25 had worked at Ascension Hospital, at Lake</p>	<p style="text-align: center;">Page 29</p> 

Highly Confidential - Subject to Further Confidentiality Review



9 (Pages 30 to 33)

Highly Confidential - Subject to Further Confidentiality Review

Page 34

6 Q. Are you aware the country is in  
7 the middle of an opioid crisis?  
8 MS. FUMERTON: Objection, form.  
9 A. I'm aware that there are people  
10 that are addicted to opioids and I'm aware  
11 that there are people that use prescription  
12 opioids for legitimate reasons every day.  
13 BY MR. BOWER:  
14 Q. Do you think the country is in  
15 the middle of an opioid crisis?  
16 MS. FUMERTON: Objection, form.  
17 A. There's a lot of attention  
18 regarding this subject. I haven't looked at  
19 documents. I haven't read much about it.  
20 I'm not sure how I feel about that. I think  
21 "crisis" is a difficult word. I'm not sure  
22 how I feel about it.  
23 BY MR. BOWER:  
24 Q. What word would you use?  
25 MS. FUMERTON: Objection, form.

Page 36

[REDACTED]

Page 35

1 A. I think any -- I think  
2 addiction to any substance is disheartening  
3 and is sad, whether it's opioid or a  
4 different substance, and I think there are  
5 plenty of issues.  
6 BY MR. BOWER:  
7 Q. Have you seen any of the TV  
8 reports on the opioid crisis?  
9 A. I haven't -- I've seen the  
10 opioid crisis in the news. I haven't focused  
11 or studied what the -- what the facts are  
12 behind those, so I'm not familiar with the  
13 numbers.  
14 Q. Did you ever discuss the opioid  
15 problem while you were at Walmart with  
16 anybody?  
17 MS. FUMERTON: Objection, form.

Page 37

[REDACTED]

BY MR. BOWER:

13 Q. Let's go back to Exhibit 1,  
14 just a few more questions on your résumé,  
15 okay?  
16 A. Yes.  
17 Q. Going back to your time from  
18 2007 to 2014, you're an Rx buyer. Do you see  
19 that on the second page there, about halfway  
20 down?  
21 A. Yes.  
22 Q. Okay. Are those dates accurate  
23 there, 2007 to February of 2014? I believe  
24 you said it started in 2008, correct?  
25 A. Yes, I started in January of

Highly Confidential - Subject to Further Confidentiality Review

Page 38

1 2008.

2 Q. And is the end date  
3 approximately correct that you were the Rx  
4 buyer?

5 A. It would have ended when I left  
6 Walmart in April of 2018.

7 Q. Well, I noticed on page 1 you  
8 have senior Rx buyer, if you'd turn to  
9 page 1. Did you at some point receive a  
10 promotion from Rx buyer to senior Rx buyer?

11 A. Yes.

12 Q. Approximately when did you --

13 A. I don't recall that date.

14 Well, February 14th, I guess, according to  
15 the résumé.

16 Q. Okay. Well, let me ask it a  
17 different way. Did that promotion -- strike  
18 that.

19 Would you agree that was a  
20 promotion?

21 A. Yes.

22 Q. Did that have any change in  
23 your duties and responsibilities?

Page 40

[REDACTED]

Page 39

[REDACTED]

Page 41

[REDACTED]

Highly Confidential - Subject to Further Confidentiality Review

Page 42

Page 44

18 MR. BOWER: What's the nature  
19 of that objection?  
20 MS. FUMERTON: "Certain  
21 obligations" is incredibly vague,  
22 especially -- "in distributing  
23 prescription opioids" is also  
24 extremely vague and could be  
25 interpreted very broad or very

Page 43

Page 45

1 narrowly.  
2 MR. BOWER: Any other  
3 objections you have to that, other  
4 than vagueness?  
5 MS. FUMERTON: Well, I think  
6 that can be confusing in that regard  
7 as well.  
8 BY MR. BOWER:  
9 Q. What obligations are you  
10 familiar with respect to Walmart's  
11 distribution of prescription opiates?  
12 MS. FUMERTON: Objection, form.

Highly Confidential - Subject to Further Confidentiality Review



13 (Pages 46 to 49)

Highly Confidential - Subject to Further Confidentiality Review

Page 50	Page 52
[REDACTED]	<p>19 BY MR. BOWER: 20 Q. All right. Let's go back to 21 your Exhibit 1 for a moment. 22 A. Okay. 23 Q. I want to go turn to page 2 for 24 a moment and I want to ask a couple of 25 questions on those bullet points on kind of</p> <p>1 the top half of the page there. One of the 2 bullet points you note that you successfully 3 led category participation in hydrocodone 4 reclassification. 5 Do you see that? 6 A. Yes, I see that. 7 Q. What does that mean? 8 A. I was a conduit on the 9 merchandising side for the C-II manufacturers 10 in our warehousing department in the moving 11 of our vault at a time period while we were 12 there. 13 Q. What does category 14 participation mean? 15 A. That would be the merchandising 16 category. 17 Q. Okay. What manufacturer did 18 you work with in context with that effort? 19 MS. FUMERTON: Objection, form.</p> [REDACTED]

14 (Pages 50 to 53)

Highly Confidential - Subject to Further Confidentiality Review

<p style="text-align: center;">Page 54</p> <p>15 MS. FUMERTON: Objection, form. 16 MR. BOWER: What's the nature 17 of that objection? 18 MS. FUMERTON: How frequently 19 would you send e-mails to those folks 20 about what? 21 MR. BOWER: About what we're 22 talking about, about the 23 hydrocodone -- 24 MS. FUMERTON: What are we 25 talking about?</p>	<p style="text-align: center;">Page 56</p> <p>[REDACTED]</p>
<p style="text-align: center;">Page 55</p> <p>1 MR. BOWER: Okay. I'll 2 rephrase because I think the record is 3 clear and you're just objecting to 4 every question. So I'll rephrase. 5 MS. FUMERTON: I'm not 6 objecting to every question. The 7 record is not clear.</p> <p>8 BY MR. BOWER:</p> <p>17 Q. Going up a couple of bullet 18 points there, increased cash prescriptions on 19 certain items up to 45%. 20 Do you see that? 21 A. Yes. 22 Q. What does that mean, cash 23 prescriptions on certain items up to 45%?</p>	<p style="text-align: center;">Page 57</p> <p>8 [REDACTED]</p> <p>9 Q. What's your basis for that statement? 10 A. Because we never did anything 11 that would promote an opioid to the customer, 12 to the end customer user, the patient that 13 would pick up the prescription. 14 Q. And how do you know that? 15 A. Because we had a pretty firm stance on that while I was there. 16 Q. And where did you learn of that stance? 17 A. I had asked to put a cough 18 medicine on the \$4 program at one time and 19 was told that anything with controlled 20 substances, we generally would not advertise 21 or talk to the consumer about. 22 23 [REDACTED]</p>

15 (Pages 54 to 57)

Highly Confidential - Subject to Further Confidentiality Review



16 (Pages 58 to 61)

Highly Confidential - Subject to Further Confidentiality Review

<p style="text-align: center;">Page 62</p>  <p>25 BY MR. BOWER:</p>	<p style="text-align: center;">Page 64</p>  <p>7 Q. And the bullet point above that 8 where you mention introducing enhanced 9 supplier onboarding process. What does that 10 refer to? 11 MS. FUMERTON: Are you on the 12 next page? 13 MR. BOWER: No. 14 MS. FUMERTON: Just so she can 15 follow. 16 MR. BOWER: No, sorry. The 17 second bullet point from the top, 18 partnered with cross-functional team 19 members to introduce enhanced supplier 20 onboarding process.</p> 
<p style="text-align: center;">Page 63</p> <p>1 Q. Okay. Going back to your 2 résumé for a moment, back still on the second 3 page. I just have a couple more factual 4 questions about what -- kind of how the 5 business worked. 6 One of the bullet points 7 mentions spearheaded a new procurement model 8 by driving profit by lowering acquisition 9 costs on a subset of items. What does that 10 refer to?</p> 	<p style="text-align: center;">Page 65</p> 

Highly Confidential - Subject to Further Confidentiality Review

Page 66

6 Q. And the first bullet point  
7 there on that page, Implemented a redesigned  
8 rebate tracking and collection process, do  
9 you see that?

10 A. Yes, I do.

11 Q. What does that refer to?

Page 68

Page 67

Page 69

Highly Confidential - Subject to Further Confidentiality Review

Page 70

11 Q. Okay. Just a couple more  
12 questions on your résumé. Going back to the  
13 first page, second bullet from the bottom,  
14 Introduced an audit process.  
15 Do you see that?  
16 A. Yes.  
17 Q. What was that process?

Page 72

Page 71

Page 73

Highly Confidential - Subject to Further Confidentiality Review



20 (Pages 74 to 77)

Highly Confidential - Subject to Further Confidentiality Review

<p style="text-align: center;">Page 78</p> <p>[REDACTED]</p> <p>13            MS. FUMERTON: We've been going 14            around an hour. Can we take a break? 15            MR. BOWER: Sure. 16            THE VIDEOGRAPHER: Going off 17            the record, 9:03 a.m. 18            (Recess taken, 9:03 a.m. to 19            9:24 a.m.) 20            THE VIDEOGRAPHER: Back on 21            record at 9:24 a.m. 22            (Walmart-Little Exhibit 2 23            marked.) 24            BY MR. BOWER: 25            Q. I'm going to hand you what's</p>	<p style="text-align: center;">Page 80</p> <p>1            MR. CIULLO: You don't happen 2            to have an extra copy, do you? 3            MR. BOWER: Oh, we didn't pass 4            them out? Did he pass them out? 5            (Comments off the stenographic 6            record.) 7            BY MR. BOWER: 8            Q. Have you had a chance to read 9            the document, ma'am? 10          A. Yes, I did. 11          Q. Does this document look 12          familiar to you? 13          A. It does not. 14          Q. It does not, okay. 15          Would you be surprised if this 16          came from your custodial file? 17          A. No, I would not. 18          Q. And why not? 19          A. Well, we -- A, I probably don't 20          understand what "custodial file" is, so I 21          might need clarification on that. 22          Q. Okay. Do you 23          understanding that Walmart -- strike that. 24          Do you have any understanding 25          that Walmart has produced documents to</p>
<p style="text-align: center;">Page 79</p> <p>1            been marked as Exhibit 2 to today's 2            deposition. Just take a moment and review 3            that document. 4            And for the record, the 5            document is Bates-labeled WMT_MDL, and then 6            it's 000025989. 7            (Document review.) 8            A. Okay. 9            MS. FUMERTON: Zach, is the 10          writing -- was that on there when it 11          was produced? 12          MR. BOWER: Yeah. 13          MS. FUMERTON: Okay. 14          MR. BOWER: I believe so. I 15          mean, as it was produced? 16          MS. FUMERTON: Yeah. 17          MR. BOWER: Okay. Yeah, I 18          don't believe it's -- I don't know if 19          it's her writing. I'm going to ask -- 20          MS. FUMERTON: Sure. No, no. 21          I guess my question is it's not yours; 22          it's somebody else's. 23          MR. BOWER: No. So to the best 24          of my understanding, it's not ours. 25          MS. FUMERTON: Okay.</p>	<p style="text-align: center;">Page 81</p> <p>1            plaintiffs in this case? 2            MS. FUMERTON: Objection. I 3            just caution her that to the extent 4            that we've had any conversations, she 5            cannot reveal the content of those 6            conversations. 7            MR. BOWER: I'll rephrase the 8            question. 9            BY MR. BOWER:</p> <p>[REDACTED]</p>

Highly Confidential - Subject to Further Confidentiality Review

Page 82	Page 84
Page 83	Page 85

13 Q. In connection with preparing  
14 for your deposition today, did you review  
15 documents?

16 A. I reviewed some documents, yes.

17 Q. Were those documents provided  
18 to you by counsel for Walmart?

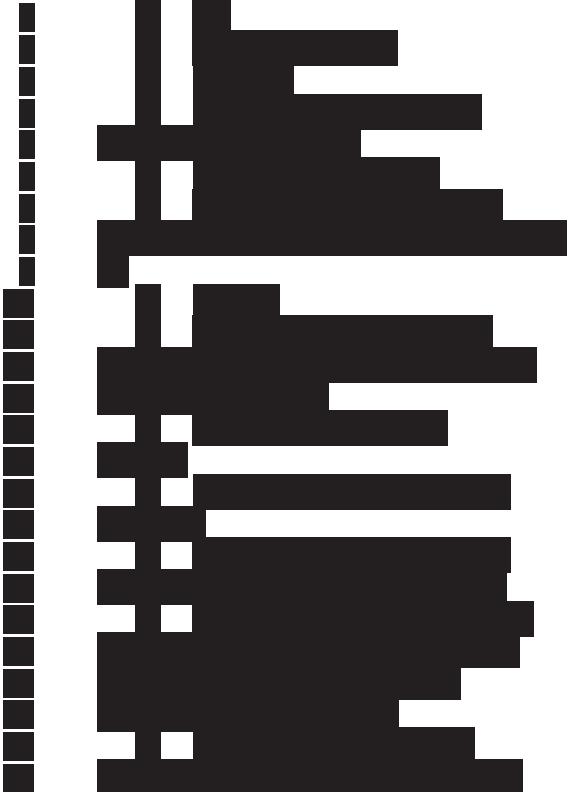
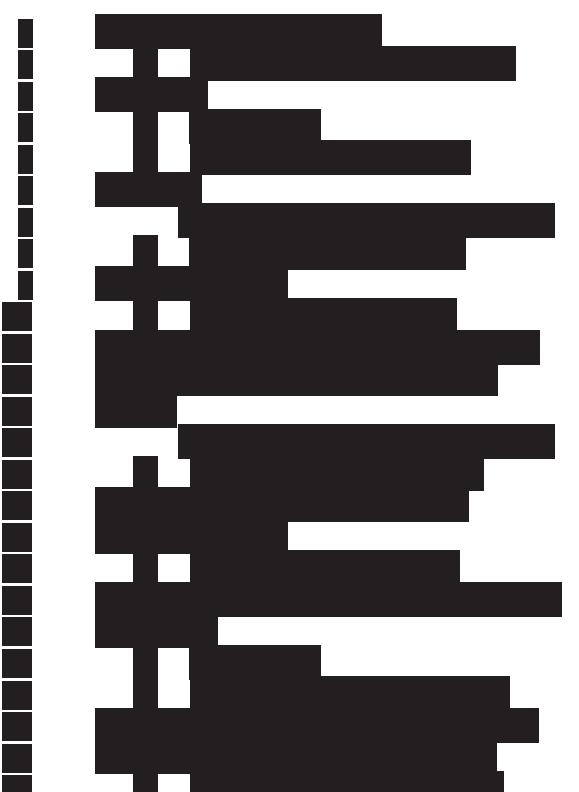
19 A. They were provided by my  
20 counsel.

21 Q. Is that your counsel that's  
22 here today?

23 A. Yes.

24 Q. And they're counsel for  
25 Walmart, correct?

Highly Confidential - Subject to Further Confidentiality Review

<p style="text-align: center;">Page 86</p> <p>1 A. I assume.      2 Q. Is that your understanding?      3 A. Yes.      4 Q. What is your understanding as      5 to who Ms. Fumerton represents?      6 A. She is representing me.      7 Q. Are you paying her bills?      8 A. I am not paying her bills.      9 Q. Do you know who is paying her      10 bills?      11 A. Walmart is paying her.      12 Q. Walmart is paying her bills on      13 your behalf, correct?      14 A. Yes.      15 Q. So she's representing both you      16 and Walmart today? Is that your      17 understanding?      18 A. Yes.      19 Q. How much time did you spend      20 preparing for today's deposition?      21 A. We met yesterday.      22 Q. And how long did you meet for?      23 A. Yesterday during the day, eight      24 hours.      25 Q. Okay. And who was present for</p>	<p style="text-align: center;">Page 88</p> 
<p style="text-align: center;">Page 87</p> <p>1 that meeting?      2 A. Tara, Scott and Jennifer.      3 Q. Anyone else?      4 A. There were a couple of people      5 on the phone.      6 Q. Who was on the phone?      7 A. I don't remember who was on the      8 phone. Carl from Walmart, and I don't      9 remember.      10 Q. Okay. Other than speaking with      11 counsel, did you speak with anyone else about      12 this case prior to today?      13 A. No.      14 Q. Did you speak with any folks at      15 Walmart about the case?      16 A. No.      17 Q. Speak with Mr. Badeen?      18 A. No.      19 Q. No?      20 Have you reviewed any written      21 material -- written transcripts of other      22 folks' testimony?      23 A. I have not.</p>	<p style="text-align: center;">Page 89</p> 

Highly Confidential - Subject to Further Confidentiality Review



24 (Pages 90 to 93)

Highly Confidential - Subject to Further Confidentiality Review

Page 94

Page 96

22  
23  
24  
25

MR. BOWER: Sorry, that wasn't  
my question.  
Could you read back the  
question, please?

Page 95

Page 97

1  
2  
3  
4  
5  
6

MS. FUMERTON: Well, I was  
explaining my objection. I'm not  
saying that was your question.

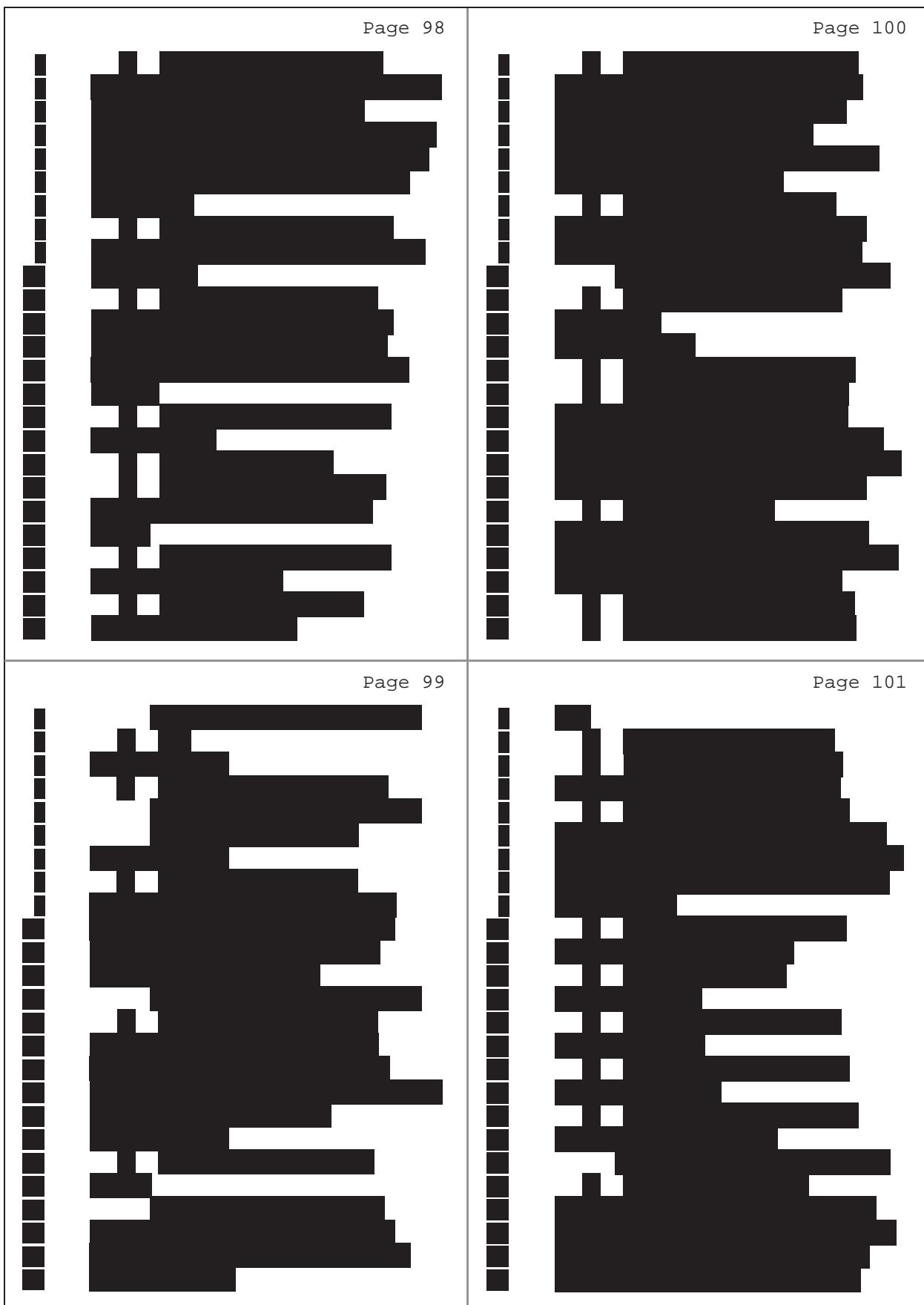
7  
8  
9  
10  
11  
12  
13

MR. BOWER: That's fine. Your  
objection is unrelated to my question,  
so can you please read back --

MS. FUMERTON: No, it isn't.  
I'm objecting to the form of your  
question because it's vague as to how  
you're asking the question.

MR. BOWER: Okay.  
(The following portion of the  
record was read.)

Highly Confidential - Subject to Further Confidentiality Review



26 (Pages 98 to 101)

Golkow Litigation Services - 877.370.DEPS

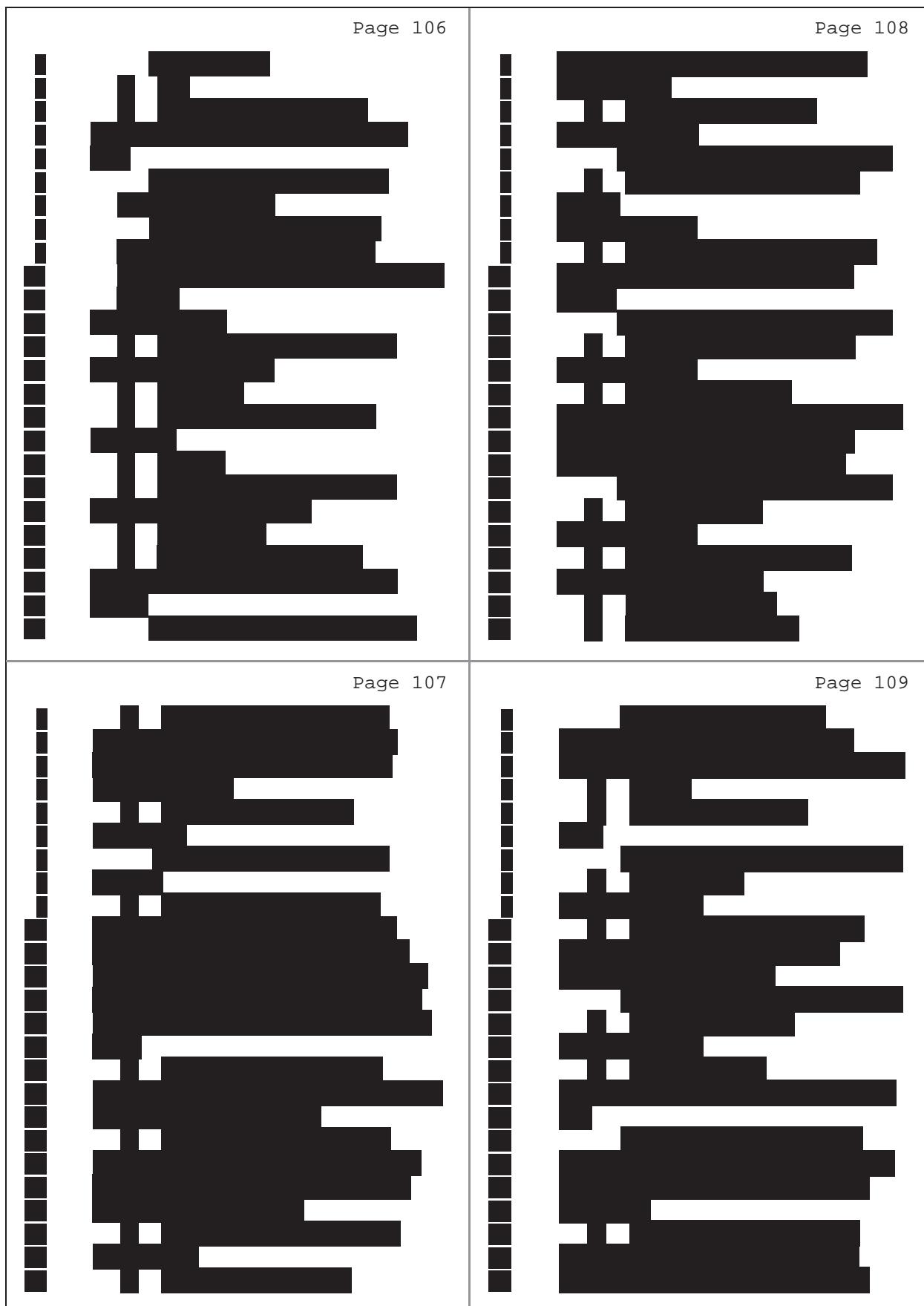
Highly Confidential - Subject to Further Confidentiality Review



27 (Pages 102 to 105)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



28 (Pages 106 to 109)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



Highly Confidential - Subject to Further Confidentiality Review



30 (Pages 114 to 117)

Highly Confidential - Subject to Further Confidentiality Review



31 (Pages 118 to 121)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



32 (Pages 122 to 125)

Golkow Litigation Services - 877.370.DEPS

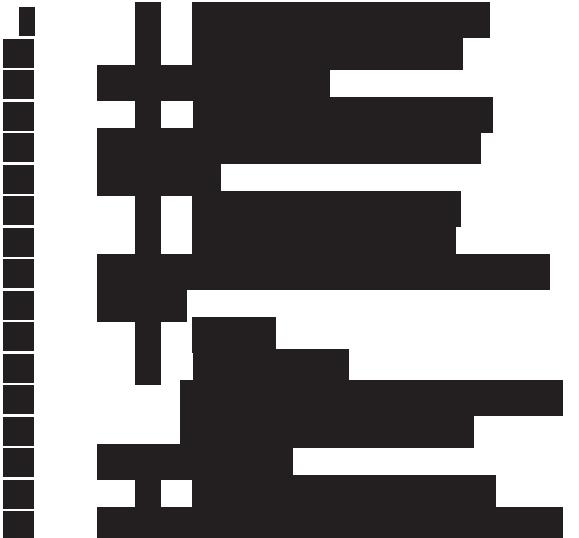
Highly Confidential - Subject to Further Confidentiality Review

<p>24 [REDACTED]</p> <p>25 BY MR. BOWER:</p> <p>Q. Were you aware whether the</p>	<p>1 the increase in prescription orders during 2 this time period for oxycodone?</p> <p>3 MS. FUMERTON: Objection, form, 4 lacks foundation.</p> <p>5 A. I did not have any concern, no.</p> <p>6 BY MR. BOWER:</p> <p>7 Q. Why not?</p> <p>8 A. I can't recall.</p> <p>9 Q. Okay. (Walmart-Little Exhibit 4 10 marked.)</p> <p>11 MR. BOWER: This is 4, I 12 believe.</p> <p>13 BY MR. BOWER: [REDACTED]</p> <p>21 MS. FUMERTON: You can take a 22 minute to review the document. 23 So Zach, it looks like there's 24 a page missing based on the sequence 25 of the Bates numbers.</p>

Highly Confidential - Subject to Further Confidentiality Review

Page 130	Page 132
<p>1 to object to that, you can pull out 65 2 and 66 if you want. If you're going 3 to make that objection -- 4 MS. FUMERTON: Yeah, I am 5 making that objection. 6 MR. BOWER: -- and you're going 7 to represent that you don't believe 8 this is an accurate document, then we 9 can remove it. 10 MS. FUMERTON: Well, it's 11 missing a page is what I'm making a 12 representation of. I don't have 13 personal knowledge of whether or not 14 this is an accurate document or not.  19 MS. FUMERTON: Yes, Zach, I do. 20 Do you see the Bates number? 21 MR. BOWER: I do. 22 MS. FUMERTON: Do you see it 23 goes to 662 then 663 -- 24 MR. BOWER: I do. And maybe 25 that page --</p>	<p>1 going to object to the exhibit's use 2 since it's incomplete. Removing these 3 two pages also makes it incomplete. 4 It is just an incomplete document. 5 If you have the entire 6 document, I would appreciate that you 7 use it with the witness so that we can 8 be as accurate as possible and not -- 9 MR. BOWER: Okay. So we will 10 use the e-mail that the witness 11 received. 12 MS. FUMERTON: And then the 13 e-mail is now incomplete. 14 MR. BOWER: We're allowed to 15 use e-mails. We're allowed to use 16 e-mails without attachments. Are you 17 saying we're not allowed to use an 18 e-mail without an attachment? 19 MS. FUMERTON: I'm saying that 20 you're going to have to represent that 21 the document is incomplete. If you 22 want to say that I am using an e-mail 23 that is incomplete with the witness, 24 that's fine. That's your prerogative. 25 MR. BOWER: I'm not saying</p>
<p style="text-align: center;">Page 131</p> <p>1 MS. FUMERTON: -- and then it 2 misses a page and then has 665. 3 MR. BOWER: Maybe that cover 4 page is missing -- 5 (Simultaneous discussion 6 interrupted by the reporter.) 7 MR. BOWER: But like I said, if 8 you want to make that -- if you want 9 to make that an issue, we can remove 10 it from the record. That's fine. 11 MS. FUMERTON: Okay. 12 MR. BOWER: So if you want to 13 just pull out the last two pages of 14 that. 15 I understand your concern about 16 the marketing fee, but we'll see a 17 contract that she signs later that 18 includes a marketing fee so -- 19 MS. FUMERTON: Well, Zach -- 20 MR. BOWER: -- I can absolve 21 you of those concerns right now. 22 MS. FUMERTON: First of all, 23 you completely misrepresented what I 24 said. Second of all, I'm going to 25 object -- it's your exhibit. I'm</p>	<p style="text-align: center;">Page 133</p> <p>1 that. I'm saying you can remove the 2 last two pages, and let me do that so 3 the record is -- you just hand me that 4 back, I'll review. 5 So based upon your counsel's 6 objection, we'll remove the last two 7 pages of this document so that it's 8 not in the record yet. 9 MS. FUMERTON: Well, I'm 10 objecting then to the use of the 11 e-mail without the correct attachment. 12 MR. BOWER: You can object to 13 that but I don't believe there's 14 anything preventing us from using an 15 e-mail the witness received. 16 MS. FUMERTON: Yeah -- 17 MR. BOWER: You can note your 18 objection for the record. 19 MS. FUMERTON: If you want to 20 make the record, I just want the 21 record to be clear that you are 22 handing the witness a document with an 23 e-mail that apparently had an 24 attachment. You didn't bring the 25 correct attachments or you brought it</p>

Highly Confidential - Subject to Further Confidentiality Review

Page 134	Page 136
<p>1       in a way that appears based on it to 2       be incomplete, and that's my 3       objection.</p> <p>4       MR. BOWER: What do you think 5       is incomplete about the e-mail?</p> <p>6       MS. FUMERTON: Because there is 7       another page that's apparently missing 8       based on the Bates numbers. You are a 9       lawyer. You understand how Bates 10      numbers work.</p> <p>11      MR. BOWER: Yes.</p> <p>12      MS. FUMERTON: There's a 13      missing Bates number.</p> <p>14      MR. BOWER: Sorry. So just for 15      the record so we're all clear. The 16      first page of this exhibit ends in 62. 17      The second page of this exhibit ends 18      in 63. Okay? That's the exhibit. 19      It's two pages.</p> <p>20      MS. FUMERTON: And I will 21      object to this exhibit because there 22      is apparently a PDF that was attached 23      to this exhibit that you are not 24      including and showing to the witness.</p> <p>25      MR. BOWER: I don't think that</p>	<p>1       two pages. It's still an incomplete 2       document. You can proceed how you 3       wish and I'm objecting to the use of 4       this document.</p> <p>5       MR. BOWER: Okay. I understand 6       your concern about what the attachment 7       says and that you've represented there 8       were no marketing fees, but we'll see 9       that document later again and we'll 10      proceed.</p> <p>11      MS. FUMERTON: Apparently you 12      do not understand because you keep 13      misrepresenting what I said.</p> <p>14      MR. BOWER: Okay.</p> <p>15      MS. FUMERTON: I did not say I 16      had a concern about the document. I 17      had a concern this exhibit is 18      incomplete.</p> <p>19      MR. BOWER: And I understand 20      you have concerns about the exhibit, 21      you don't want it in the record, but I 22      can tell you that she signed that 23      agreement, it will come into the 24      record, so we can please move on.</p> <p>25      MS. FUMERTON: Still, you keep</p>
<p style="text-align: center;">Page 135</p> <p>1       that's accurate. If you want to 2       produce something, some factual basis 3       for your statement, that's fine. I 4       will say that this e-mail appears to 5       be a complete e-mail. If you notice, 6       the end of it has the confidentiality 7       signature that everyone has these 8       days. I don't think there's anything 9       incomplete about this e-mail.</p> <p>10      If you have a basis to tell us 11      today that you think this is 12      incomplete, please do so. But with 13      that, I think we can move forward.</p> <p>14      MS. FUMERTON: No. I'm going 15      to state again to be clear since you 16      keep talking over me, I'm objecting to 17      this exhibit because as you pointed 18      out earlier, it says at the top that 19      there's a PDF that's attached. You 20      presented a document with a missing 21      Bates number. I don't know why it was 22      missing. Somehow it's missing, which 23      gives me pause as to whether or not 24      this is a complete document.</p> <p>25      So now you've removed the last</p>	<p style="text-align: center;">Page 137</p> <p>1       misrepresenting what I said. So if 2       you would like to move on, please do 3       not represent what I said because it's 4       not what I said.</p> <p>5       MR. BOWER: Are you ready to 6       proceed?</p> <p>7       THE WITNESS: Yes.</p> <p>8       BY MR. BOWER:</p> 

Highly Confidential - Subject to Further Confidentiality Review

Page 138

[REDACTED]

Page 140

1 and look at what you said. You asked  
2 her about the business proposal in  
3 this e-mail.

4 MR. BOWER: No, I said, do you  
5 see he notes this is a business  
6 proposal.

7 BY MR. BOWER:

[REDACTED]

Page 139

[REDACTED]

6 MS. FUMERTON: Objection, form.  
7 Again, I'm objecting to this exhibit  
8 because you're referring to a business  
9 proposal that's not attached.

10 MR. BOWER: Your objection is  
11 noted --

12 MS. FUMERTON: You can't ask --  
13 (Simultaneous discussion  
14 interrupted by the reporter.)

15 MR. BOWER: Your objection is  
16 noted. We need to move on. Okay.

17 MS. FUMERTON: But it is  
18 fundamentally unfair and misleading to  
19 a witness to ask them about a business  
20 proposal that is not attached. You  
21 keep asking questions about --

22 MR. BOWER: I didn't ask about  
23 the proposal. I asked --

24 MS. FUMERTON: Yes, you did.  
25 You said -- asked a question. Go back

Page 141

[REDACTED]

Highly Confidential - Subject to Further Confidentiality Review

Page 142

Page 144

22 MR. CIULLO: While we have a  
23 second, I just want to, for the  
24 record, represent that that missing  
25 document in the last exhibit was

Page 143

Page 145

1           actually just a JPEG thing that says  
2           Actavis.  
3           MR. BOWER: Yeah, that's what I  
4           thought, but since I have it here I  
5           didn't need it, but I appreciate it.  
6           Thanks

9                   MR. BOWER: Hopefully that will  
10                  resolve your concerns.

11 MS. FUMERTON: It was a simple  
12 concern.

13 MR. CIULLO: Legitimate  
14 concern.

## 15 (Document review.)

16 BY MR. BOWER:  
17 Q. Have you had a chance to review  
18 the document, ma'am, or are you still  
19 listening?

19 looking?  
20 A. Yes.  
21 Q. You still like a Q.

Q. You're still looking? Okay.  
A. Oh...

22 A. Okay.  
23 Q. Just 1

23 Q. I just have a couple of  
24 questions on the e-mail, and then we can turn  
25 to the document itself.

23 to the document itself.

8 - 4

Highly Confidential - Subject to Further Confidentiality Review

Page 146

[REDACTED]

Page 148

1 product or privileged information.  
2 MR. BOWER: I'm just asking  
3 whether she's been asked to produce  
4 documents that are relevant to this  
5 case. You're not going to let her  
6 answer that question.  
7 MS. FUMERTON: That's not what  
8 you asked.  
9 MR. BOWER: All right. Let me  
10 ask it that way.  
11 BY MR. BOWER:

Page 147

[REDACTED]

14 MS. FUMERTON: Objection, form  
15 in that to the extent you're --  
16 actually, I'm instructing her not to  
17 answer that question.

18 MR. BOWER: That's a yes-or-no  
19 answer. You're instructing her not to  
20 answer that question?

21 MS. FUMERTON: Yes, I am.

22 MR. BOWER: What's the basis  
23 for your instruction?

24 MS. FUMERTON: To the extent  
25 that you're invading attorney work

Page 149

[REDACTED]

Highly Confidential - Subject to Further Confidentiality Review

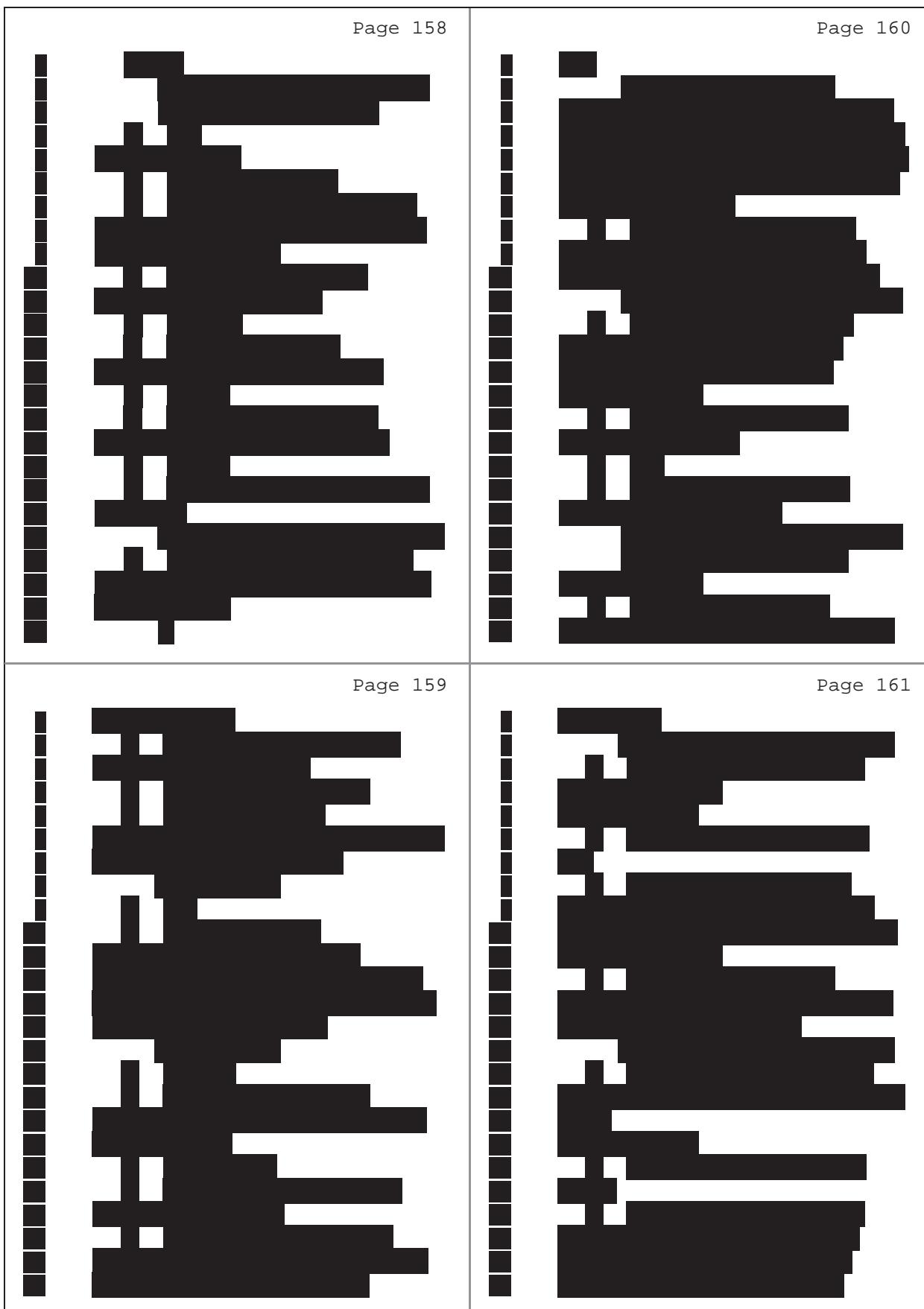


Highly Confidential - Subject to Further Confidentiality Review



40 (Pages 154 to 157)

Highly Confidential - Subject to Further Confidentiality Review



Highly Confidential - Subject to Further Confidentiality Review

Page 162

Page 164

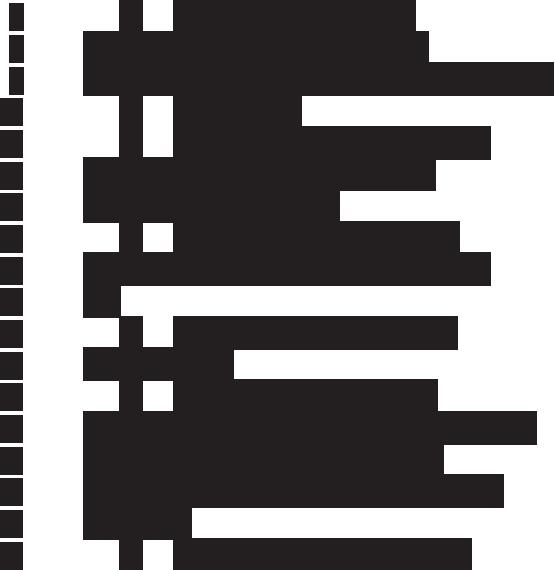
13 MS. FUMERTON: Oh, yeah, she  
14 was just asking if we could take a  
15 break.  
16 MR. BOWER: Oh, sure. Yeah.  
17 THE VIDEOGRAPHER: Going off  
18 the record, 10:37 a m.  
(Recess taken, 10:37 a m. to  
19 10:58 a m.)  
20 THE VIDEOGRAPHER: Back on  
21 record. The time is 10:58 a m.  
22 (Walmart-Little Exhibit 7  
23 marked.)  
24 ///

Page 163

Page 165

1 BY MR. BOWER:  
2 Q. Back on the record, Exhibit 7.  
3 MS. FUMERTON: Are we on  
4 Exhibit 7 or Exhibit 6?  
5 MR. BOWER: I just gave her  
6 Exhibit 7, sorry.  
7 MS. BARTLETT: We skipped 6.  
8 MR. BOWER: We skipped 6.  
9 Sorry, we're skipping 6 for now.  
10 MS. FUMERTON: Okay. Are you  
11 going to use an Exhibit 6?  
12 MS. BARTLETT: Huh-uh.  
13 MR. BOWER: We may, we may not.  
14 MS. FUMERTON: That's so  
15 confusing later on.  
16 MR. BOWER: I know, I know.  
17 MS. FUMERTON: Can we just  
18 change it?  
19 MR. BOWER: You want to change  
20 it?  
21 MS. FUMERTON: Why don't you  
22 change it, yeah.  
23 MR. BOWER: Okay. Let's change  
24 that.  
25 MS. FUMERTON: Sorry, but it

Highly Confidential - Subject to Further Confidentiality Review

<p style="text-align: center;">Page 166</p> <p>1 just --      2 MR. BOWER: No, no, it's fine.      3 MS. FUMERTON: -- a year from      4 now --      5 MR. BOWER: I agree with that.      6 MS. FUMERTON: -- someone is      7 going to...      8 MS. BARTLETT: Then we're going      9 to change -- I need all new stickers.      10 They're all pre-marked.      11 MS. FUMERTON: I still would      12 change it. It's not going to take --      13 it's not that many. We're talking,      14 what, less than ten. Or are we      15 talking more than that?      16 MR. BOWER: Let's go off the      17 record.      18 THE VIDEOGRAPHER: Going off      19 the record. The time is 10:59 a.m.      20 (Discussion off the record.)      21 THE VIDEOGRAPHER: Back on      22 record, 11:01 a.m.      23 (Walmart-Little Exhibit 6      24 marked.)      25 //</p>	<p style="text-align: center;">Page 168</p> <p>1 THE VIDEOGRAPHER: Off record,      2 11:02 a.m.      3 (Discussion off the record.)      4 THE VIDEOGRAPHER: Back on      5 record, 11:03 a.m.      6 BY MR. BOWER:        25 is offering Walmart a one-time 10% off</p>
<p style="text-align: center;">Page 167</p> <p>1 BY MR. BOWER:      2 Q. All right. Just so the record      3 is clear, we're going to enter a new      4 Exhibit 6 so we can keep our numbers      5 sequential. There we go. And then we'll do      6 Exhibit 7 after this one.      7 (Document review.)      8 BY MR. BOWER:      9 Q. Okay. You've been handed      10 what's been marked as Exhibit 6. It's a      11 Walmart document. It's WMT_MDL_000021802.        23 MR. BOWER: Our realtime has      24 gone out. Can we go off record for a      25 moment.</p>	<p style="text-align: center;">Page 169</p> 

Highly Confidential - Subject to Further Confidentiality Review

Page 170

Page 172

Page 171

Page 173

9           Q. I'm sorry, the numbering threw  
10          me off again, but here's Exhibit 7 back.

11          MR. BOWER: You guys still have  
12          7, right?

13          MS. FUMERTON: I do.  
14          MR. BOWER: Okay.

15 BY MR. BOWER:

16          Q. Okay. Now you've been handed  
17          what's been marked as Exhibit 7. You'll  
18          notice the top of that document is redacted  
19          because it's an Actavis document, and we're  
20          not allowed to show you the communications  
21          that you're not on, so that's the reason for  
22          the redaction, just so you know.

23          A. Okay.

24          Q. So my questions will be  
25          directed to the communications you are on,

Highly Confidential - Subject to Further Confidentiality Review

Page 174

1 which is just an e-mail from yourself to  
2 Mr. Cohen.

3 Do you see that?  
4 A. Yes.

5 MS. FUMERTON: And can I just  
6 ask a clarifying question?

7 MR. BOWER: Sure.

8 MS. FUMERTON: So this is the  
9 redaction that you put on.

10 MR. BOWER: Yes.

11 MS. FUMERTON: This is not how  
12 Actavis -- okay. Thank you.

13 MR. BOWER: Yeah, I want to be  
14 clear, yeah. The redactions --  
15 there's a few more redactions that we  
16 added because the following e-mail she  
17 was not on.

18 MS. FUMERTON: Okay.

19 MR. BOWER: So just to avoid  
20 any issues we just redacted the whole  
21 thing.

22 MS. FUMERTON: Okay.

23 BY MR. BOWER:

24 Q. Can you just -- do you recall  
25 this e-mail or what was going on in this time

Page 176

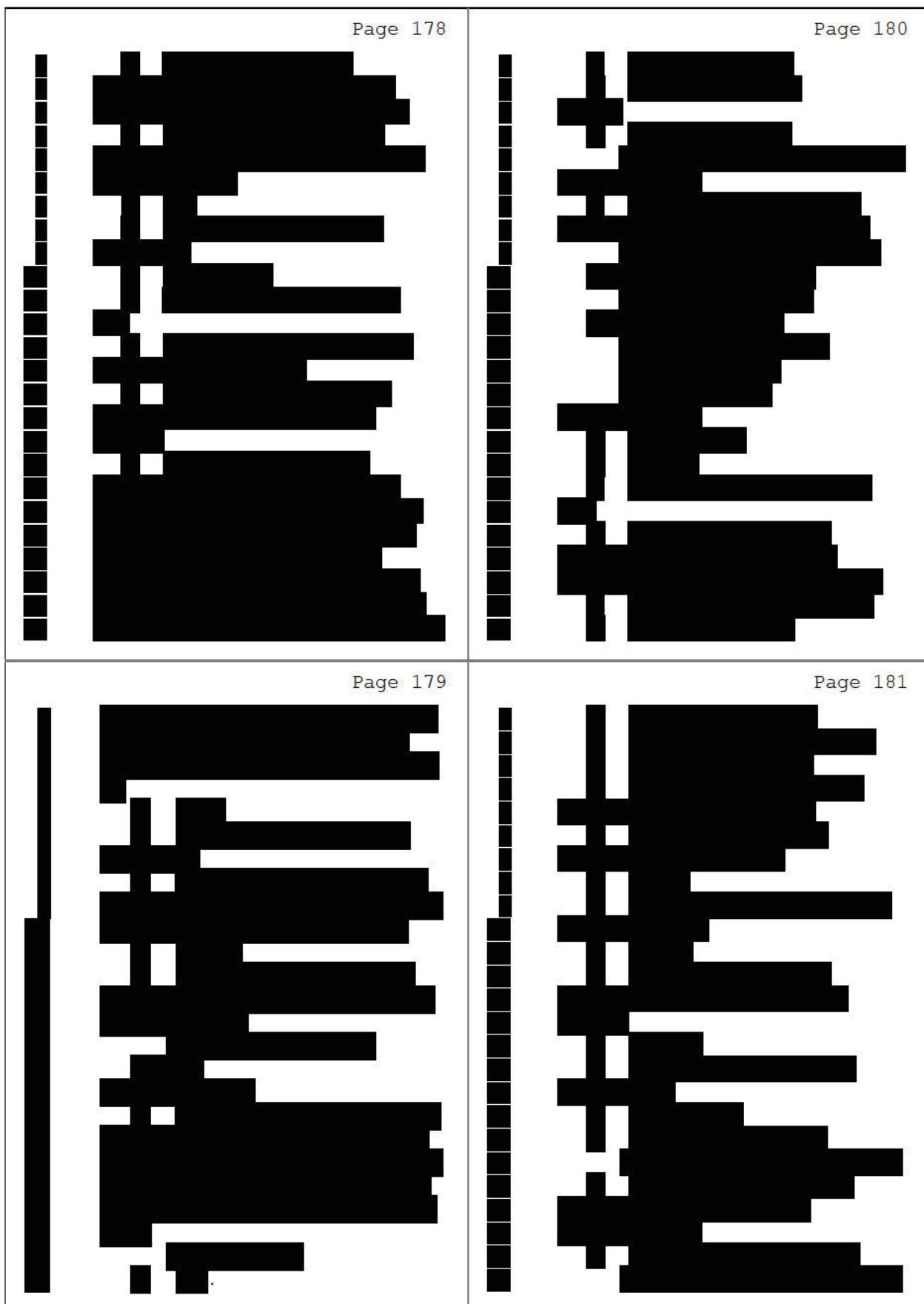
[REDACTED]

Page 175

1 period?

[REDACTED]

Highly Confidential - Subject to Further Confidentiality Review



46 (Pages 178 to 181)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review

Page 182	Page 184
[Redacted content]	[Redacted content] 11 Q. You can put this one aside. 12 (Walmart-Little Exhibit 9 13 marked.) 14 BY MR. BOWER: 15 Q. Let me hand you what's been 16 marked as Exhibit 9, so please review the 17 document before I ask you. 18 (Document review.) 19 BY MR. BOWER: 20 Q. Have you had a chance to review 21 the document? 22 A. Yes.

Highly Confidential - Subject to Further Confidentiality Review



48 (Pages 186 to 189)

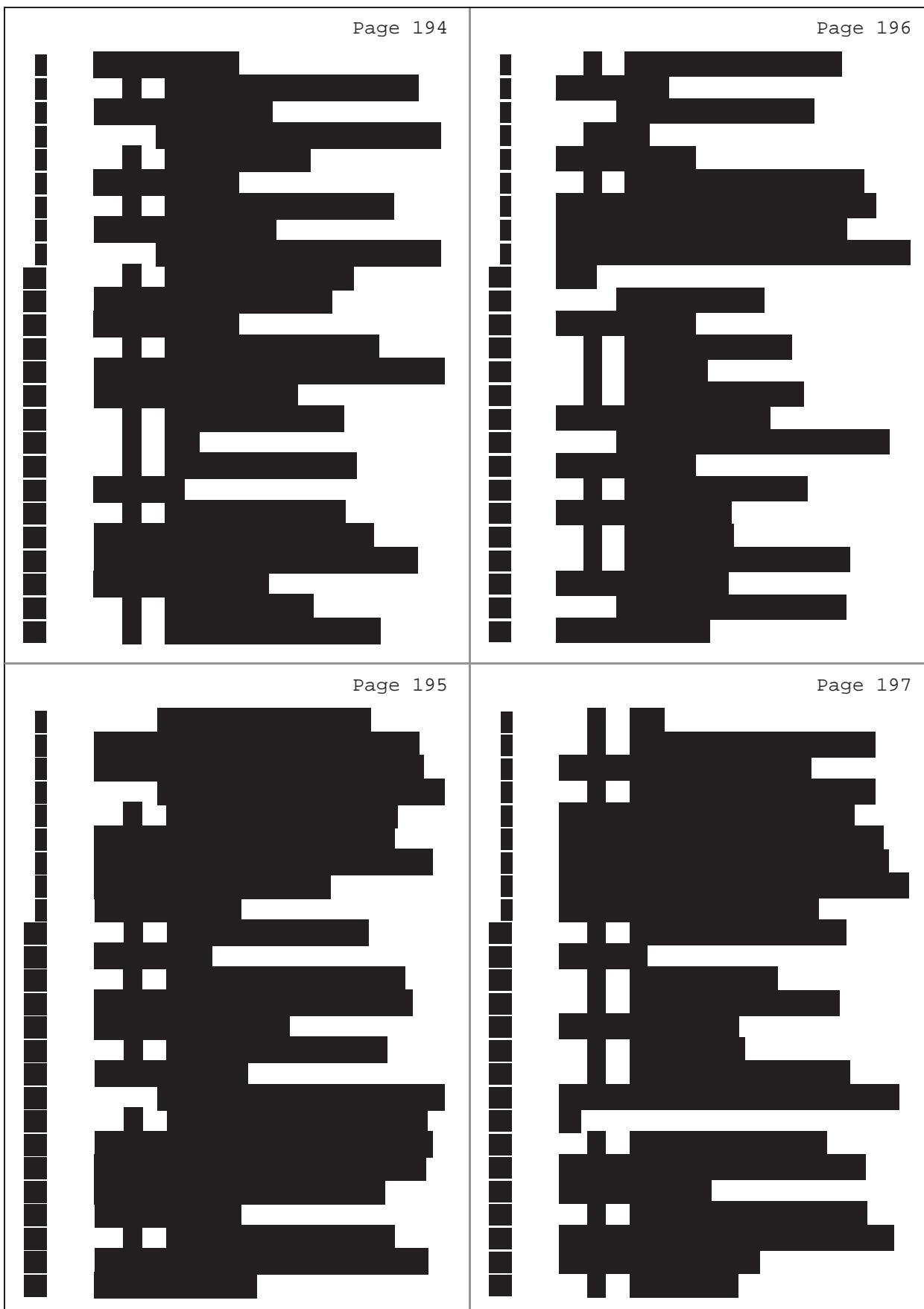
Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



49 (Pages 190 to 193)

Highly Confidential - Subject to Further Confidentiality Review



50 (Pages 194 to 197)

Highly Confidential - Subject to Further Confidentiality Review



51 (Pages 198 to 201)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



52 (Pages 202 to 205)

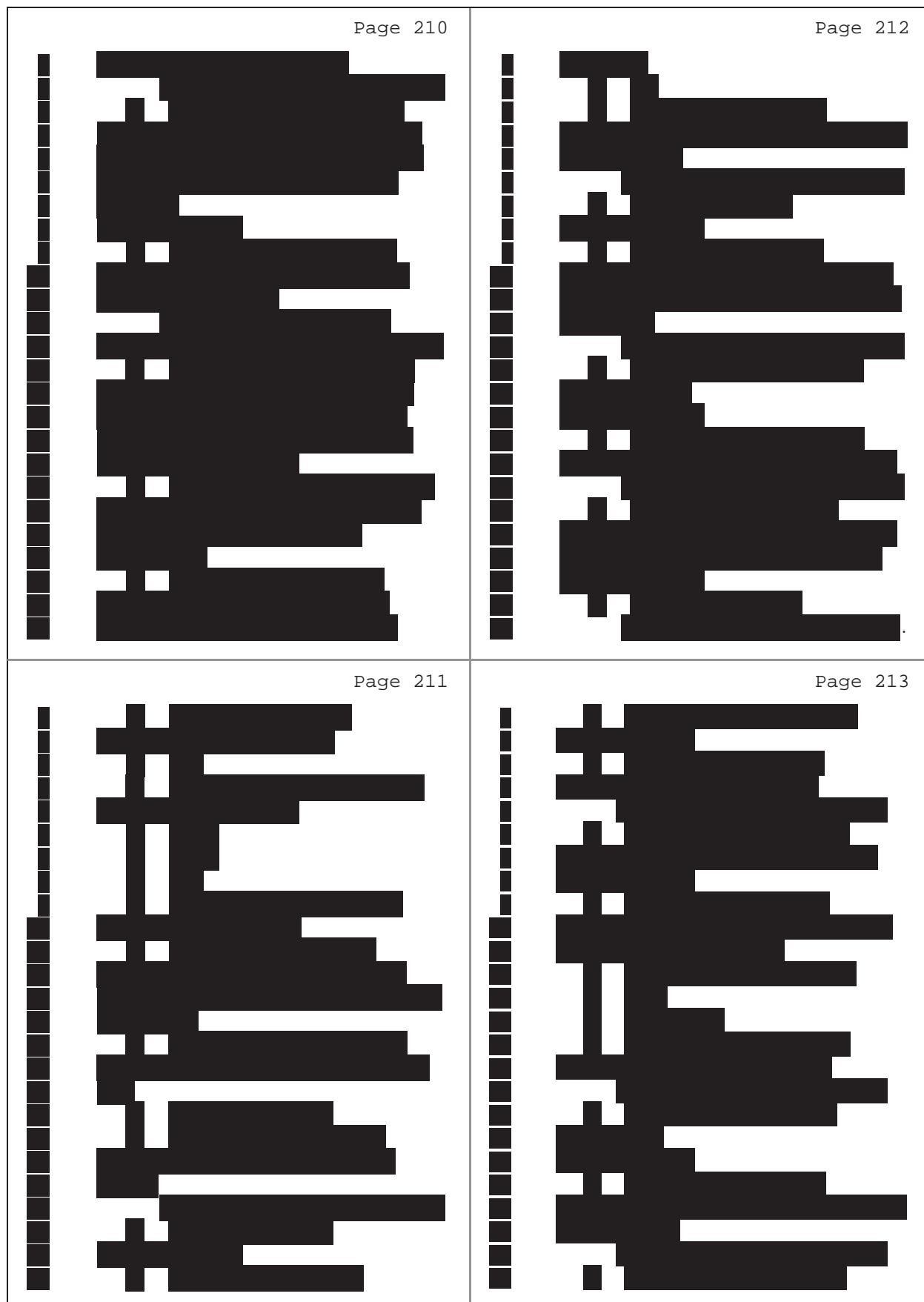
Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



53 (Pages 206 to 209)

Highly Confidential - Subject to Further Confidentiality Review



54 (Pages 210 to 213)

Highly Confidential - Subject to Further Confidentiality Review



55 (Pages 214 to 217)

Highly Confidential - Subject to Further Confidentiality Review

Page 218

Page 220

Page 219

Page 221

10 MS. FUMERTON: We're right at  
11 12:00. Is this a good stopping point?  
12 MR. BOWER: Let me just see.  
13 Just give me one second.  
14 MS. FUMERTON: Are you okay  
15 with going for a couple of more  
16 minutes?  
17 MR. BOWER: We may not. Let me  
18 just -- I just want to see if I can  
19 wrap up this whole question --  
20 MS. FUMERTON: Okay.  
21 MR. BOWER: -- contract issue  
22 quickly.  
23 Let's just do one more and then  
24 we can take a lunch break. Just  
25 another brief contract.

Highly Confidential - Subject to Further Confidentiality Review

<p>1 (Walmart-Little Exhibit 12 2 marked.) 3 BY MR. BOWER: </p> <p>11 MR. CIULLO: Again, I'll raise 12 the same objection before that to the 13 extent it's produced under the 14 Allergan MDL case numbers --</p> <p>15 MR. BOWER: It says 16 confidential on it.</p> <p>17 MR. CIULLO: Strike that. 18 Thank you.</p> <p>19 MR. BOWER: Sure. I tried to 20 pull the confidential ones that I 21 could find.</p> <p>22 Let me know when you're done, 23 okay?</p> <p>24 THE WITNESS: Okay. 25 (Document review.)</p>	<p>1 do is provide the complete contract so 2 the record was clear. 3 MS. FUMERTON: Okay. So we'll 4 just make -- 5 MR. BOWER: If Walmart wants to 6 make a supplemental production that it 7 believes this contract is not clear or 8 if it has this contract in its 9 possession, custody or control, it 10 should produce it. 11 MS. FUMERTON: I'm talking 12 specific to this exhibit, and I'm 13 saying that this particular exhibit 14 suggests that there's two missing 15 pages -- 16 MR. BOWER: And if Walmart has 17 this specific contract, it should 18 produce it. And if Walmart has any of 19 these contracts, it should produce 20 them. 21 MS. FUMERTON: I'm objecting to 22 this exhibit because it appears 23 there's two pages missing. 24 MR. BOWER: It does not appear. 25 It says page 3 of 4. Excuse me.</p>
<p>Page 223</p> <p>1 MS. FUMERTON: I'll just note 2 for the record with respect to 3 Exhibit 12 that in the upper 4 right-hand corner it suggests it's 5 page 3 of 4, and it's a two-page 6 document.</p> <p>7 MR. BOWER: And I'll note for 8 the record that Walmart did not 9 produce this document. I'm not sure 10 why. There's lots of documents here 11 Walmart hasn't produced.</p> <p>12 So if you want to inform us as 13 to why, that would maybe help clear up 14 the record.</p> <p>15 That's why we're using lots of 16 documents from other defendants 17 because Walmart hasn't produced much 18 of this stuff. Very concerning.</p> <p>19 MS. FUMERTON: Well, I disagree 20 with your characterizations, but in 21 any event, has Actavis -- did you make 22 this document from a four-page 23 document to a two-page document?</p> <p>24 MR. BOWER: I tried -- I don't 25 recall, but what I do recall trying to</p>	<p>Page 225</p> <p>1 Let's ask the witness whether she 2 believes there's a page missing from 3 this contract.</p> <p>4 BY MR. BOWER:</p> <p>5 Q. Have you had a chance to review 6 the document?</p> <p>7 MS. FUMERTON: Okay. To be 8 clear, since you're misunderstanding 9 my objection, my objection is to the 10 exhibit. There appears that there are 11 a couple of pages missing from the 12 exhibit as indicated on the document 13 itself.</p> <p>14 MR. BOWER: No, this is 15 intended --</p> <p>16 MS. FUMERTON: I'm not making a 17 statement as to whether or not the 18 contract is or is not complete.</p> <p>19 MR. BOWER: Are you finished?</p> <p>20 MS. FUMERTON: Yes.</p> <p>21 MR. BOWER: Okay. For the 22 record, this exhibit is intended to be 23 a contract that Walmart signed. It 24 appears to us to be a two-page 25 contract.</p>

Highly Confidential - Subject to Further Confidentiality Review

<p>1 If that's wrong, please let us 2 know and we'll try to figure out why 3 something is missing. 4 And I would note that if 5 Walmart would, in fact, produce these 6 contracts, we might have more insight 7 as to what they allege is missing. 8 MS. FUMERTON: Again -- 9 MR. BOWER: So with that -- 10 MS. FUMERTON: Zach, you keep 11 misrepresenting what I'm saying. I'm 12 not making any representation as to 13 whether or not there's something 14 missing from the contract. 15 I'm saying there's something 16 that appears to be missing from the 17 document and the exhibits because 18 there are two pages that are missing. 19 So if you're going to repeat 20 what I said, I would appreciate it if 21 you would do so accurately and to not 22 interject all sorts of other 23 misleading information. 24 MR. BOWER: Okay. 25 MS. FUMERTON: The record will</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>Page 226</p> <p>say what it is, and I suggest we move on.</p> <p>MR. BOWER: Just to clear up what you said, my response to that is: I think Walmart should produce these, okay?</p> <p>BY MR. BOWER:</p> <p>Q. So with that, have you had a chance to review the documents?</p> <p>A. I did.</p>	<p>1 2 3 4 5 6 7 8 9 10 11</p> <p>Page 228</p> <p>[REDACTED]</p> <p>MR. BOWER: Okay. Thank you. We can break for lunch.</p> <p>THE VIDEOGRAPHER: Going off</p> <p>the record, 12:06 p.m. (Recess taken, 12:06 p.m. to 12:48 p.m.)</p> <p>THE VIDEOGRAPHER: Back on record, 12:48 p.m.</p> <p>BY MR. BOWER:</p> <p>Q. Good afternoon, Ms. Little. You understand you're still under oath?</p> <p>A. Yes, I do.</p> <p>Q. I just have a couple of cleanup questions from this morning.</p>
--	--	---	--

Highly Confidential - Subject to Further Confidentiality Review

Page 230

Page 232

15 (Walmart-Little Exhibit 13  
16 marked.)  
17

BY MR. BOWER:

18 Q. I'll hand you what's been  
19 marked as Exhibit 13. Just take a moment and  
20 review that document. Again, this is another  
21 document that was redacted up until the point  
22 that you're included on the e-mail chain,  
23 okay? Just in case you're wondering why  
24 those redactions are there.  
25 (Document review.)

Page 231

Page 233

1 BY MR. BOWER:  
2

3 Q. Are you finished reviewing the  
4 document?  
A. Yes.

Highly Confidential - Subject to Further Confidentiality Review

Page 234

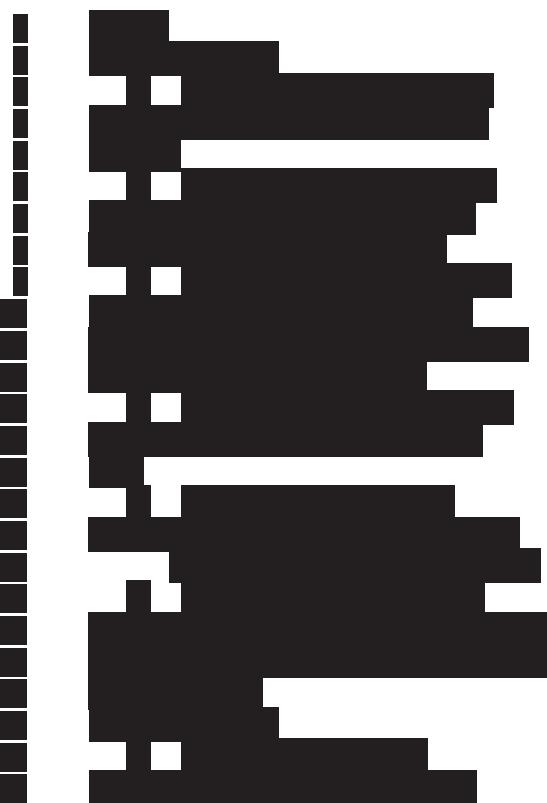
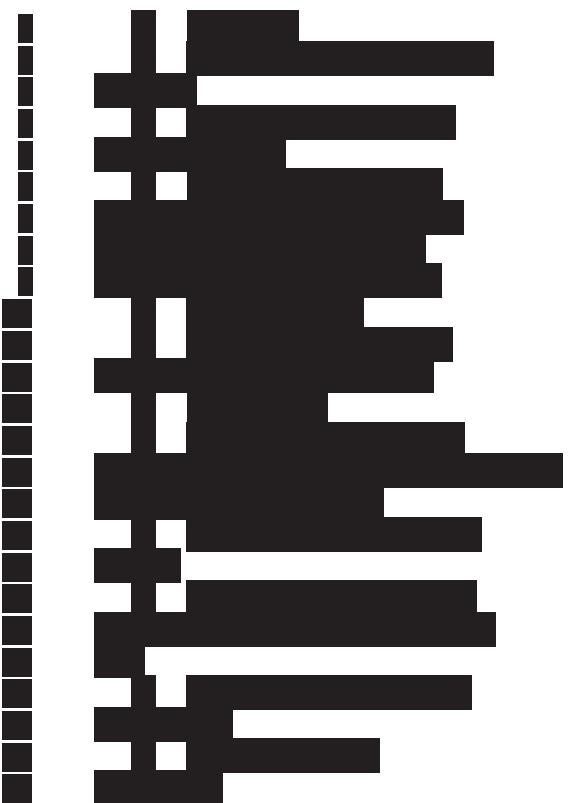
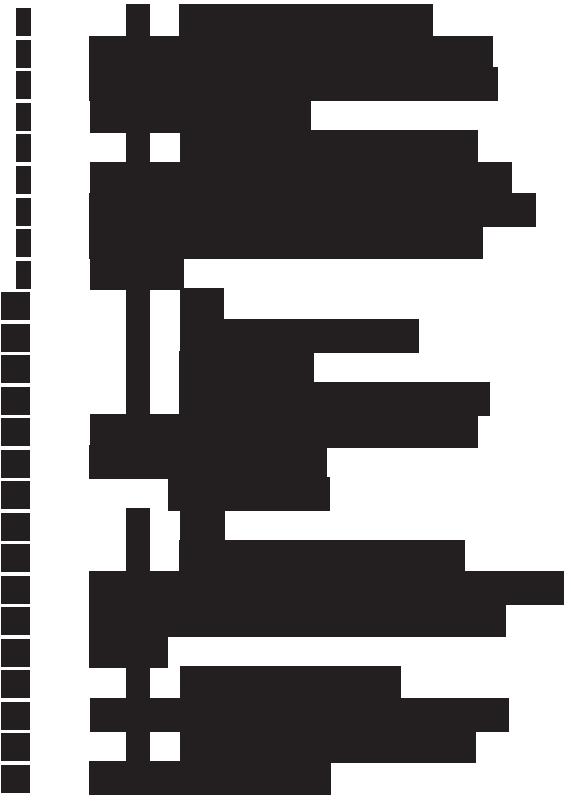
Page 236

Page 235

Page 237

4  
5 (Interruption by the  
videographer.)  
6 MS. FUMERTON: Can folks on the  
7 line hear us?  
8 MR. INNES: Yes, this is  
9 Michael Innes. I had you on mute and  
10 I can hear you.  
11 MS. FUMERTON: Okay. Thanks.  
12 BY MR. BOWER:

Highly Confidential - Subject to Further Confidentiality Review

	Page 238		Page 240
			
	Page 239		Page 241
			

61 (Pages 238 to 241)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



62 (Pages 242 to 245)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review

<p>Page 246</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14</p> <p>MS. FUMERTON: Objection, form. And, Zach, the numbers --</p> <p>MR. BOWER: Can you just let her answer the question first and then you can make your statement.</p>	<p>Page 248</p> <p>19 20 21 22 23 24 25</p> <p>Q. Okay. Thank you. MR. BOWER: Tara, did you want to make a statement? MS. FUMERTON: Yeah, I just want to make a statement that the numbers I think got transposed when you were reading them and it did</p>
<p>Page 247</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14</p> <p>MS. FUMERTON: Well, if you would read it accurately, it would make it a lot more helpful.</p> <p>MR. BOWER: Well, the document is what it is, right?</p> <p>MS. FUMERTON: Then the testimony gets all screwed up because you're asking questions on numbers that don't match with what the document says.</p> <p>MR. BOWER: So why don't we let her answer the question. Then you can make any statements you want for the record, okay?</p>	<p>Page 249</p> <p>1 2 3 4 5 6 7</p> <p>not -- the questions did not reflect accurately the numbers that were on hand, the numbers that were shipped and the numbers that -- the difference between the two.</p> <p>MR. BOWER: Okay.</p> <p>BY MR. BOWER:</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14</p>

Highly Confidential - Subject to Further Confidentiality Review



64 (Pages 250 to 253)

Highly Confidential - Subject to Further Confidentiality Review

Page 254

[REDACTED]

Page 256

1 BY MR. BOWER:  
2 Q. Thank you.  
3 (Walmart-Little Exhibit 14  
4 marked.)

5 BY MR. BOWER:  
6 Q. Okay. You've been handed  
7 what's been marked as Exhibit 14. I tried to  
8 include all the attachments. It's a Walmart  
9 document and I believe it's sequential. I  
10 don't have too many questions on the  
11 attachments, but I just included them so you  
12 could review them if you would like.

19 [REDACTED]  
20 So with that in mind, take your  
time and review the document.

21 A. Thank you.  
22 MR. BOWER: Sorry, and the  
23 Bates number begins with  
24 WMT\_MDL\_000021669, and it goes through  
25 21678.

Page 255

[REDACTED]

Page 257

1 (Document review.)  
2 BY MR. BOWER:  
3 Q. Are you still reading the  
4 document?  
5 A. I am finished.

65 (Pages 254 to 257)

Highly Confidential - Subject to Further Confidentiality Review

Page 258

Page 260

10 Q. Okay. At this point, were you  
11 aware that OxyContin was being abused across  
12 the country?

13 MS. FUMERTON: Objection, form.  
14 A. I was aware that people that  
15 had prescriptions for pain medicine sometimes  
16 used those for ways other than they were  
17 prescribed, yes.

18 BY MR. BOWER:

19 Q. And specifically OxyContin,  
20 correct?

21 MS. FUMERTON: Objection, form.  
22 MR. BOWER: I'll strike that.

23 BY MR. BOWER:

24 Q. Did you have that specific  
25 understanding with respect to OxyContin, or

Page 259

Page 261

1 not?  
2 MS. FUMERTON: Objection, form.  
3 A. I had the understanding for all  
4 C-II products.

5 BY MR. BOWER:

6 Q. Well, let me direct your  
7 attention then to Bates -- it's a few pages  
8 into the document ending in Bates number 673.  
9 You see that page?

10 A. 673, yes.

Highly Confidential - Subject to Further Confidentiality Review

Page 262

Page 264

Page 263

Page 265

14 BY MR. BOWER:  
15 Q. Okay.  
16 (Walmart-Little Exhibit 15  
17 marked.)  
18 BY MR. BOWER:

Highly Confidential - Subject to Further Confidentiality Review

Page 266

1 MR. CIULLO: While she's  
2 reviewing, can you please read the  
3 Bates.

4 MR. BOWER: Sure. It starts  
5 with WMT\_MDL\_000021921, and it ends in  
6 21924.

7 MR. CIULLO: Thank you very  
8 much.

9 (Document review.)

10 BY MR. BOWER:

11 Q. Are you done?

12 A. I'm done.

Page 268

[REDACTED]

Page 267

[REDACTED]

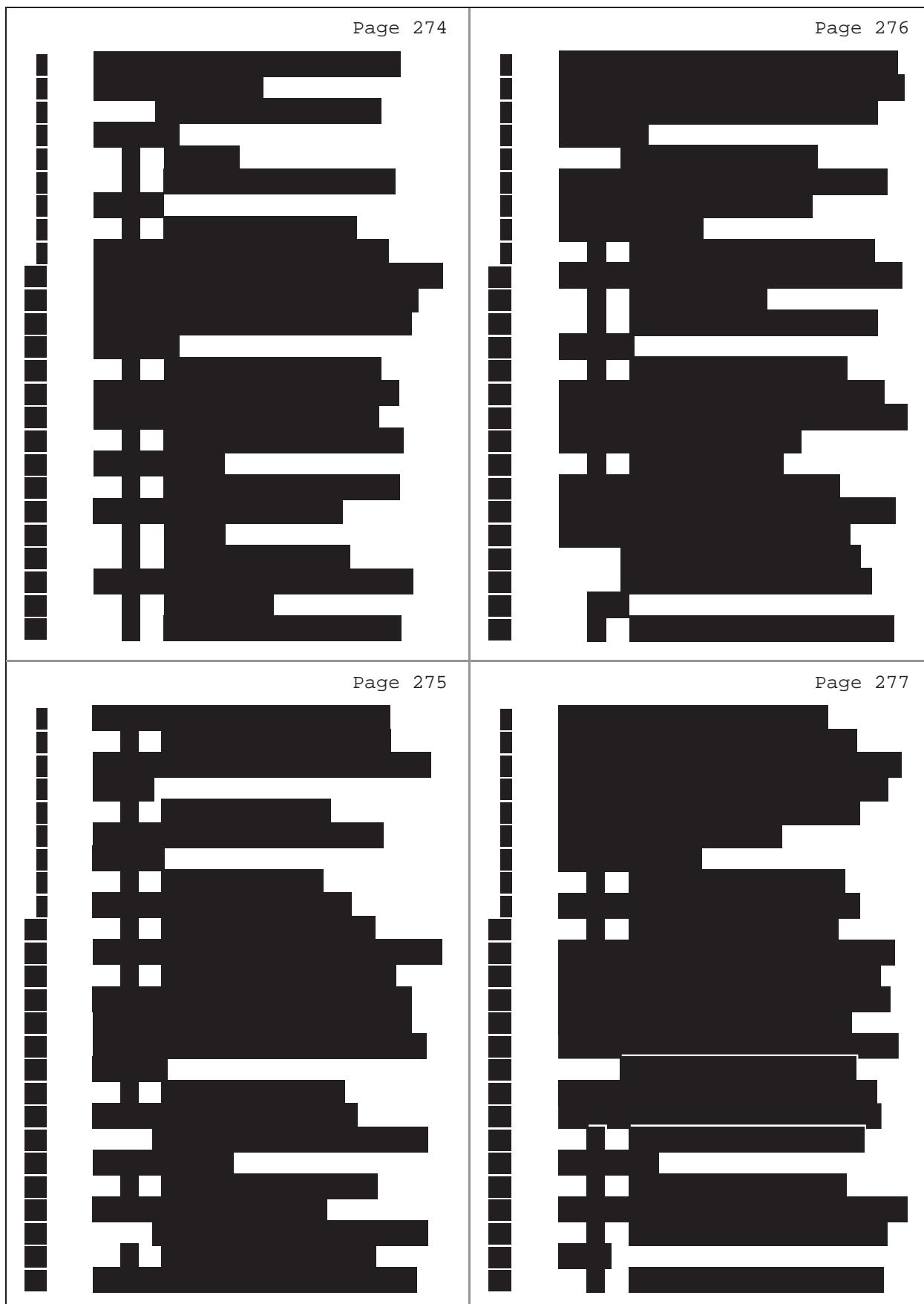
Page 269

Highly Confidential - Subject to Further Confidentiality Review



69 (Pages 270 to 273)

Highly Confidential - Subject to Further Confidentiality Review



70 (Pages 274 to 277)

Highly Confidential - Subject to Further Confidentiality Review

Page 278

[REDACTED]

Page 280

1 MS. FUMERTON: No, you're not.  
2 It's not -- no, actually. You can ask  
3 yes-or-no questions that go towards  
4 privileged information.

5 MR. BOWER: What privileged  
6 information would be called for by  
7 that answer, whether you asked her --

8 MS. FUMERTON: To the extent --  
9 (Simultaneous discussion  
10 interrupted by the reporter.)

11 MS. FUMERTON: To the extent  
12 that I've had conversations with her,  
13 I don't know that any are implicated  
14 here. I'm not saying they are, but  
15 it's an inappropriate type of  
16 question.

17 MR. BOWER: Are you instructing  
18 her not to answer that?

19 MS. FUMERTON: Yes, I did.

20 BY MR. BOWER:

21 Q. Are you going to listen to  
22 those instructions?

23 A. I am.

Page 279

2 [REDACTED]  
3 MS. FUMERTON: Objection, form.  
4 And I also object to the extent that  
5 you're asking a privileged question,  
6 so I'm actually going to instruct her  
not to answer.

7 MR. BOWER: I'm just trying to  
8 figure out why Walmart hasn't produced  
9 them.

10 BY MR. BOWER:

18 [REDACTED]  
19 MS. FUMERTON: Objection.  
20 Again, I'm going to instruct her not  
21 to answer that question because you're  
22 asking to potentially invade  
privileged information.

23 MR. BOWER: It's just a  
24 yes-or-no question. She's allowed to  
25 answer it.

Page 281

[REDACTED]

Highly Confidential - Subject to Further Confidentiality Review

Page 282

[REDACTED]

Page 284

1 (Recess taken, 1:45 p.m. to  
2 2:09 p.m.)  
3 THE VIDEOGRAPHER: Back on  
4 record at 2:09 p.m.  
5 BY MR. BOWER:  
6 Q. We're back on the record. Do  
7 you understand you're still under oath?  
8 A. I do.

Page 283

[REDACTED]

18 Q. Okay.

19 MR. BOWER: You want to keep  
20 going or do you want to take a break?

21 MS. FUMERTON: Let's take a  
22 break.

23 MR. BOWER: Okay.

24 THE VIDEOGRAPHER: Going off  
25 the record, 1:45 p.m.

Page 285

[REDACTED]

15 Q. Okay.  
16 (Walmart-Little Exhibit 18  
17 marked.)

18 BY MR. BOWER:

19 Q. You've been handed what's been  
20 marked as Exhibit 18. Again, it's a document  
21 produced by an entity other than Walmart, and  
22 its Bates number is PPLPC, and then  
23 004000325237. And again, this one has  
24 redactions on it just reflecting the fact  
25 that you weren't copied on subsequent

Highly Confidential - Subject to Further Confidentiality Review

Page 286	Page 288
<p>1 e-mails, okay?</p> <p>2 A. Okay.</p> <p>3 Q. So take a moment to review your</p> <p>4 document, and then this may refresh your</p> <p>5 recollection about the gentleman I just asked</p> <p>6 about.</p> <p>7 (Document review.)</p> <p>8 MR. BOWER: Tara, while we're</p> <p>9 waiting, do you have any understanding</p> <p>10 as to why Walmart hasn't produced this</p> <p>11 document?</p> <p>12 MS. FUMERTON: I don't know</p> <p>13 whether Walmart has or has not.</p> <p>14 MR. BOWER: I'm saying it</p> <p>15 hasn't. Do you know why they haven't?</p> <p>16 MS. FUMERTON: Well, in my</p> <p>17 experience, based on things you say we</p> <p>18 haven't produced, a lot of them we've</p> <p>19 already produced.</p> <p>20 MR. BOWER: So are you saying</p> <p>21 Walmart has produced this?</p> <p>22 MS. FUMERTON: I think I</p> <p>23 answered your question, which was I do</p> <p>24 not know whether Walmart has or has</p> <p>25 not produced this.</p>	<p>1 incorrect and you know it.</p> <p>2 MS. FUMERTON: I know it's</p> <p>3 absolutely true.</p> <p>4 MR. BOWER: You can</p> <p>5 misrepresent the record all you want,</p> <p>6 but you know that's incorrect, and you</p> <p>7 know that there's thousands if not</p> <p>8 hundreds of thousands you are</p> <p>9 wrongfully withholding.</p> <p>10 You haven't looked for them.</p> <p>11 You haven't looked in the proper</p> <p>12 areas. You haven't produced</p> <p>13 contracts. There's hundreds of</p> <p>14 contracts you haven't produced.</p> <p>15 MS. FUMERTON: I haven't</p> <p>16 them -- I haven't produced any</p> <p>17 contracts?</p> <p>18 MR. BOWER: Not all the</p> <p>19 contracts, no.</p> <p>20 MS. FUMERTON: I don't think</p> <p>21 that's right.</p> <p>22 MR. BOWER: There's lots of</p> <p>23 contracts you haven't produced.</p> <p>24 MS. FUMERTON: Zach, everything</p> <p>25 you've said basically is false. Why</p>
Page 287	Page 289
<p>1 MR. BOWER: Would there be a</p> <p>2 reason that they have not produced</p> <p>3 this?</p> <p>4 MS. FUMERTON: There could be.</p> <p>5 MR. BOWER: What would be that</p> <p>6 reason?</p> <p>7 MS. FUMERTON: I'm not taking</p> <p>8 my deposition today, but if you want</p> <p>9 to continue to have this discussion on</p> <p>10 the record, it could be for a variety</p> <p>11 of reasons.</p> <p>12 MR. BOWER: Such as?</p> <p>13 MS. FUMERTON: It didn't exist,</p> <p>14 it wasn't responsive. I'm not saying</p> <p>15 any of these. You asked me a</p> <p>16 hypothetical question. I could ask</p> <p>17 you hypothetically, I don't even know</p> <p>18 whether this has or has not been</p> <p>19 produced, Zach.</p> <p>20 As I said before, it's my</p> <p>21 experience in many occasions you send</p> <p>22 us requests for information that we've</p> <p>23 already produced and you don't realize</p> <p>24 that you have it.</p> <p>25 MR. BOWER: That is absolutely</p> 	<p>1 don't we just leave it at that.</p> <p>2 MR. BOWER: Not true.</p> <p>3 (Document review.)</p> <p>4 BY MR. BOWER:</p> <p>5 Q. Are you still reviewing?</p> <p>6 A. I am.</p> <p>7 Q. Okay.</p> <p>8 (Document review.)</p> <p>9 BY MR. BOWER:</p> <p>10 Q. You ready?</p> <p>11 A. I'm done.</p> 

Highly Confidential - Subject to Further Confidentiality Review



74 (Pages 290 to 293)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



75 (Pages 294 to 297)

Highly Confidential - Subject to Further Confidentiality Review



76 (Pages 298 to 301)

Highly Confidential - Subject to Further Confidentiality Review

Highly Confidential - Subject to Further Confidentiality Review



78 (Pages 306 to 309)

Highly Confidential - Subject to Further Confidentiality Review



79 (Pages 310 to 313)

Highly Confidential - Subject to Further Confidentiality Review



80 (Pages 314 to 317)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



81 (Pages 318 to 321)

Highly Confidential - Subject to Further Confidentiality Review



82 (Pages 322 to 325)

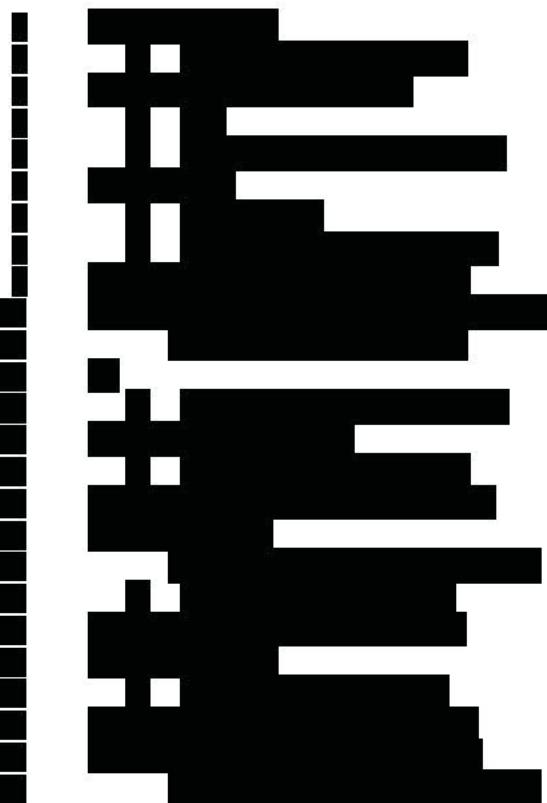
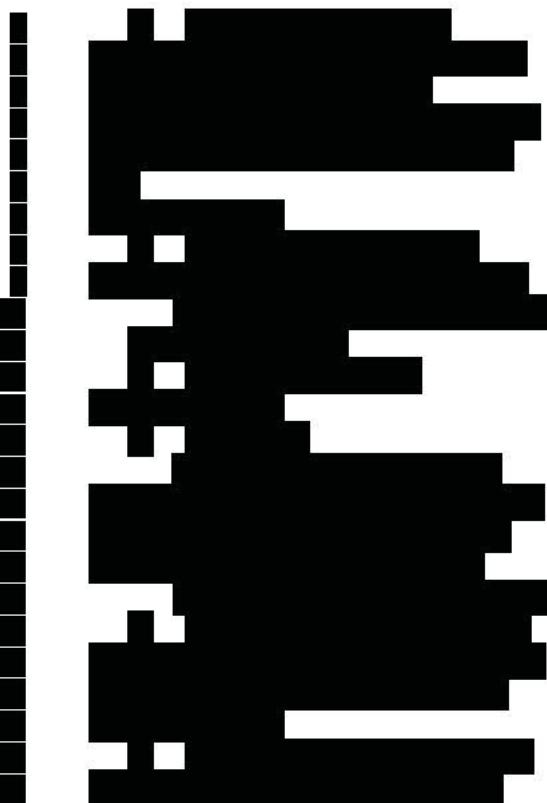
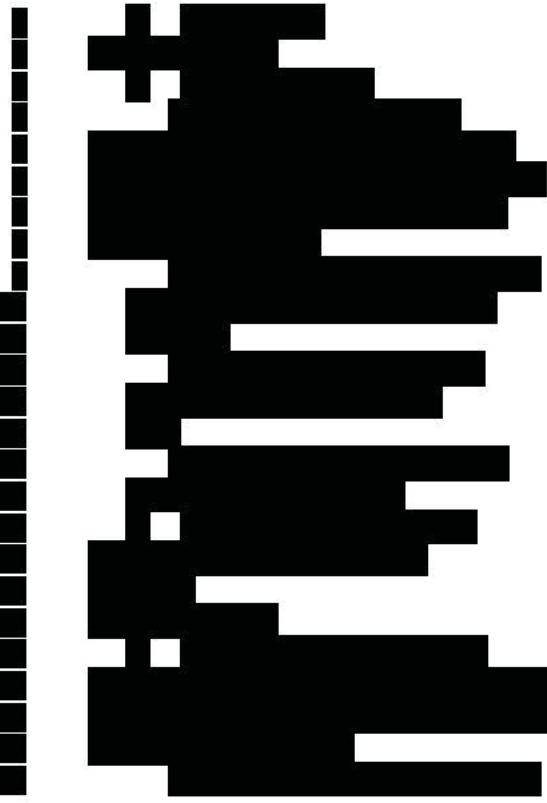
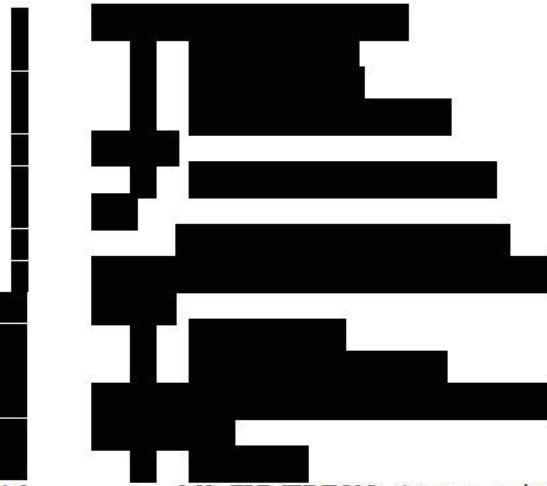
Highly Confidential - Subject to Further Confidentiality Review



83 (Pages 326 to 329)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review

	Page 330		Page 332
			
	Page 331		Page 333
			 <p>16 MS. FUMERTON: Are you saying 17 responds to -- 18 MR. BOWER: Yeah. 19 MS. FUMERTON: Where are you 20 looking? 21 MR. BOWER: Rae, top of the 22 page ending in 06, Rae's response to 23 Maria. 24 MS. FUMERTON: You're working 25 backwards unless I'm not --</p>

Highly Confidential - Subject to Further Confidentiality Review

Page 334

1 MR. BOWER: I'm looking at the  
2 top of the page ending in 06. I  
3 believe the witness sees it.

4 MS. FUMERTON: Oh, I'm sorry.  
5 It's said twice in the document. It's  
6 on a different paragraph.

7 MR. BOWER: Okay. I'm sorry.

8 MS. FUMERTON: Okay. So I'm  
9 with you now. I'm sorry, that's my  
10 fault.

11 MR. BOWER: No problem.

12 MS. FUMERTON: Okay.

13 BY MR. BOWER:

Page 336

[REDACTED]

Page 335

[REDACTED]

6 So just take a moment and  
7 review it, and then we can have some  
8 questions on it.

9 (Document review.)

10 MR. BOWER: While the witness  
11 is reading the document, the Bates  
12 number of this one is ALLERGAN\_MDL and  
13 it's 00144683 through -- and the  
14 attachment is 684, and then 685 is a  
15 native, and we included the native  
16 with a cover sheet.

17 (Document review.)

18 BY MR. BOWER:

19 Q. Are you done reviewing the  
20 document?

21 A. Not yet.

22 Q. Okay.

23 (Document review.)

24 BY MR. BOWER:

25 Q. Are you ready?

Page 337



Highly Confidential - Subject to Further Confidentiality Review

Page 342

5 Just take a moment to review  
6 the document.

7 (Document review.)

8 BY MR. BOWER:

9 Q. Are you still reviewing the  
10 document?

11 MS. FUMERTON: Are you --

12 A. I'm okay.

13 BY MR. BOWER:

Page 344

1 A. And in my -- in my --  
2 MS. FUMERTON: Objection. I  
3 mean, there's no question pending.  
4 MR. BOWER: The witness is  
5 saying this is unclear, and --

6 MS. FUMERTON: Okay. Well, you  
7 didn't ask a question, and you're  
8 making commentary, just sort of random  
9 commentary on her questions.

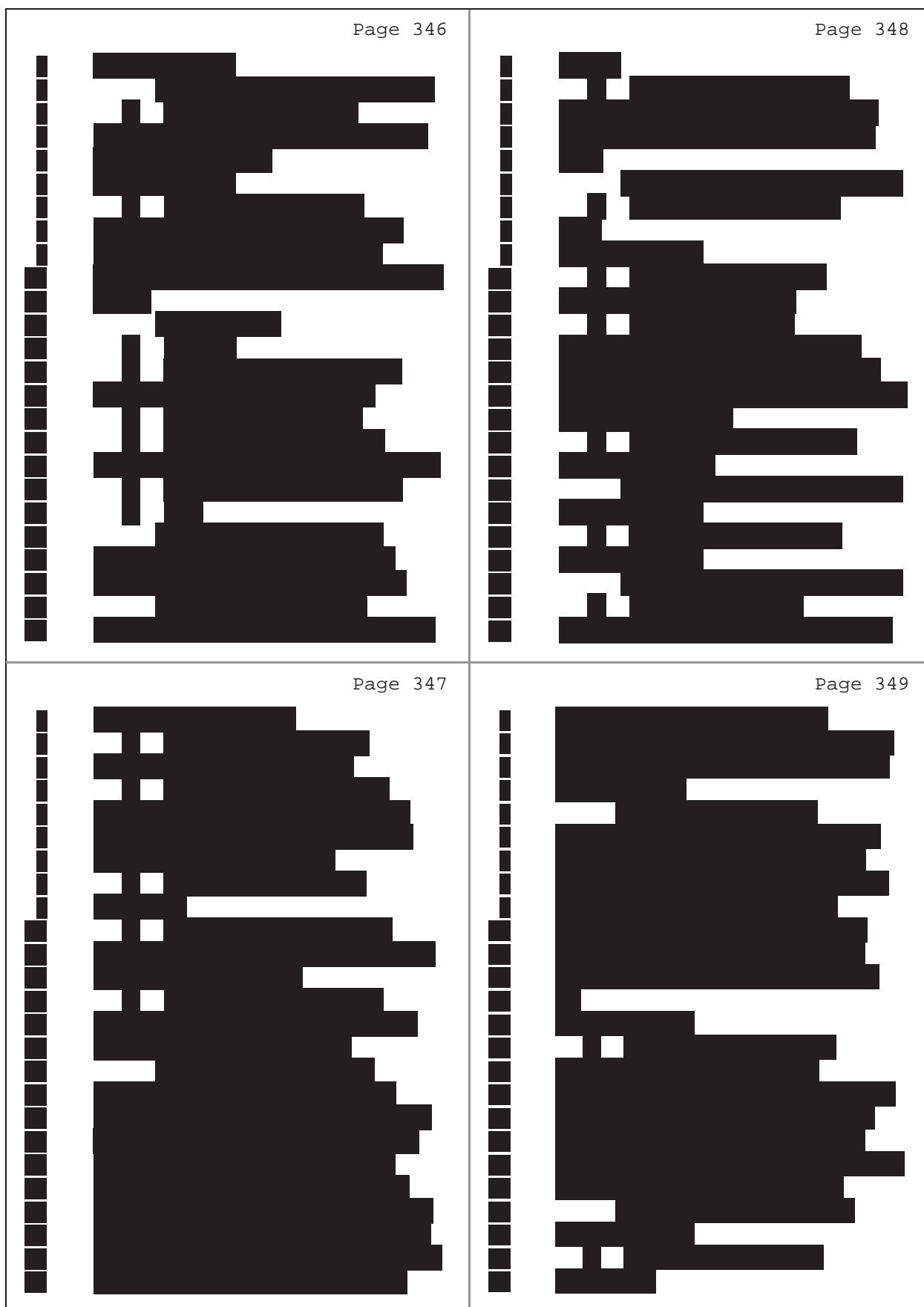
10 So if you have a question, you  
11 can ask her. Otherwise I'm objecting  
12 and -- to just your additional  
13 commentary on what she's saying.

14 BY MR. BOWER:

Page 343

Page 345

Highly Confidential - Subject to Further Confidentiality Review



88 (Pages 346 to 349)

Highly Confidential - Subject to Further Confidentiality Review



89 (Pages 350 to 353)

Highly Confidential - Subject to Further Confidentiality Review

Page 354

7 [REDACTED]  
8 (Walmart-Little Exhibit 24  
marked.)

9 BY MR. BOWER:

10 Q. You've been handed what's been  
11 marked as Exhibit 24.

12 MS. FUMERTON: We've been going  
13 for a while. Is this a good stopping  
14 point? We've been going, I think, for  
15 another hour 20 minutes or so.

16 MR. BOWER: We've been going  
17 that long? Sure. I didn't know we  
18 had been going that long. Sure.

19 THE VIDEOGRAPHER: Off the  
20 record, 3:22 p m.

21 (Recess taken, 3:22 p m. to  
22 3:41 p m.)

23 THE VIDEOGRAPHER: Back on  
24 record. The time is 3:41 p.m.  
25 ///

Page 356

1 BY MR. BOWER:

2 Q. Okay. Ms. Little, before we  
3 went off, I handed you Exhibit 24, but you  
4 haven't reviewed it yet. So why don't you  
5 take a moment to review that, and then I'll  
6 have just a few questions on this one.

7 (Document review.)

8 BY MR. BOWER:

9 Q. All right. Are you ready?

10 A. Yes.

Page 355

Page 357

Highly Confidential - Subject to Further Confidentiality Review



91 (Pages 358 to 361)

Golkow Litigation Services - 877.370.DEPS

Highly Confidential - Subject to Further Confidentiality Review



92 (Pages 362 to 365)

Highly Confidential - Subject to Further Confidentiality Review



93 (Pages 366 to 369)

Highly Confidential - Subject to Further Confidentiality Review

Page 370

8 MR. CIULLO: I'm sorry, can you  
9 read the Bates.

10 MR. BOWER: Sure. This is a  
11 Walmart document. The Bates number is  
12 WMT\_MDL\_000037807 and 808.

13 MR. CIULLO: Thank you, sir.

14 MR. BOWER: Sure.

15 MS. FUMERTON: I'll just note  
16 for the record that this document is  
17 missing its attachment.

18 (Document review.)

19 BY MR. BOWER:

Page 372

Page 371

Page 373

Highly Confidential - Subject to Further Confidentiality Review

Page 374

2 [REDACTED] The Bates number for this one  
3 is WMT\_MDL\_000033418 through 33424.  
4 (Document review.)

5 BY MR. BOWER:

6 Q. Are you ready?  
7 MS. FUMERTON: She's still  
8 reading.

9 A. I'm not.

10 MR. BOWER: Okay. Sorry.

11 (Document review.)

12 (Telephonic interruption.)

13 (Comments off the stenographic  
14 record.)

15 MR. BOWER: Can we go off the  
16 record.

17 THE VIDEOGRAPHER: Going off  
18 the record, 4:09 p.m.

19 (Discussion off the record.)

20 THE VIDEOGRAPHER: Back on  
21 record, 4:10 p.m.

22 BY MR. BOWER:  
[REDACTED]

Page 376

Page 375

Page 377

Highly Confidential - Subject to Further Confidentiality Review



96 (Pages 378 to 381)

Highly Confidential - Subject to Further Confidentiality Review



97 (Pages 382 to 385)

Highly Confidential - Subject to Further Confidentiality Review

Page 386

[REDACTED]

Page 388

1 (Walmart-Little Exhibit 27  
2 marked.)  
3 BY MR. BOWER:  
4 Q. You've been handed what's been  
5 marked as Exhibit 27. It's a Walmart  
6 document ending in Bates number 25900. It's  
7 a one-page document. Just take your time and  
8 let me know when you're done.  
9 I can tell you my questions  
10 will be focused on paragraph 4, if that  
11 helps.  
12 A. Okay.  
13 (Document review.)  
14 BY MR. BOWER:  
15 Q. Are you ready?  
16 A. I'm ready.

Page 387

[REDACTED]

Page 389

[REDACTED]

Highly Confidential - Subject to Further Confidentiality Review

Page 390

Page 392

Page 391

Page 393

15  
16  
17  
BY MR. BOWER:  
18 Q. Okay. You've been handed  
19 what's been marked as Exhibit 28. It's a  
20 Walmart document ending in 21757 through 59.  
21 It's a two-page e-mail. Let me know when you  
22 finish reviewing.  
23 A. Okay.  
24 (Document review.)  
25 ///

99 (Pages 390 to 393)

Highly Confidential - Subject to Further Confidentiality Review

Page 394

1 BY MR. BOWER:

2 Q. Are you ready?  
3 A. Yes.

Page 396

[REDACTED]

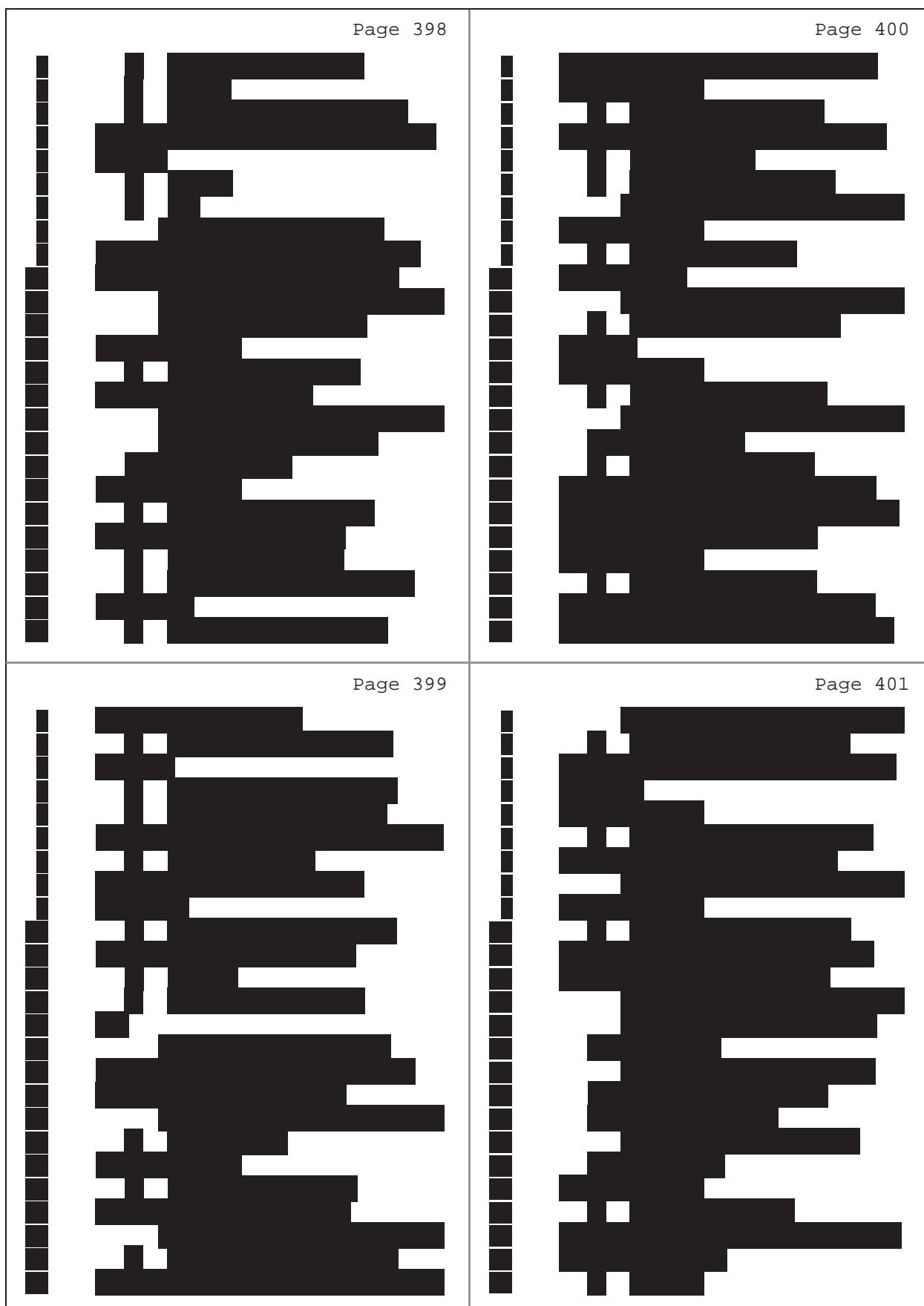
Page 395

[REDACTED]

Page 397

100 (Pages 394 to 397)

Highly Confidential - Subject to Further Confidentiality Review



101 (Pages 398 to 401)

Highly Confidential - Subject to Further Confidentiality Review

Page 402

Page 404

Page 403

Page 405

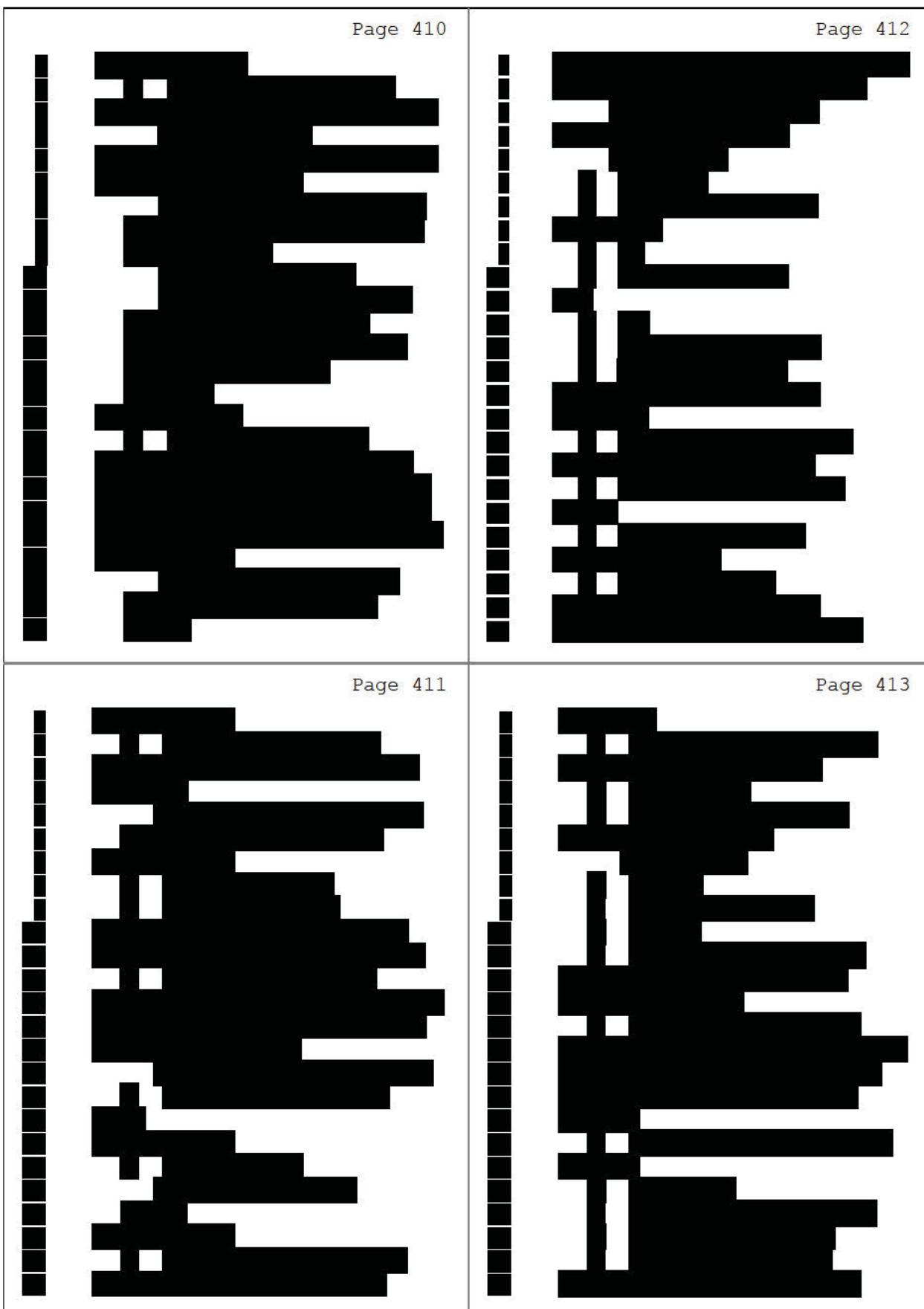
3 MR. BOWER: Why don't we take a  
4 break.  
5 MS. FUMERTON: Okay.  
6 THE VIDEOGRAPHER: Going off  
7 the record, 4:37 p.m.  
8 (Recess taken, 4:37 p.m. to  
9 4:52 p.m.)  
10 THE VIDEOGRAPHER: Back on  
11 record at 4:51 p.m.  
12 BY MR. BOWER:  
13 Q. All right. Ms. Little, we're  
14 back on the record. We'll try to finish up  
15 here, do the best we can.  
16 (Walmart-Little Exhibit 29  
17 marked.)  
18 BY MR. BOWER:

102 (Pages 402 to 405)

Highly Confidential - Subject to Further Confidentiality Review

Page 406	Page 408
<p>2 [REDACTED]</p> <p>3 MS. FUMERTON: Still take time to make sure you understand.</p> <p>4 MR. BOWER: Yeah, yeah, please do. I just -- I'm not going to be asking, I don't think, any questions on the attachments.</p> <p>5 (Document review.)</p> <p>6 BY MR. BOWER:</p> <p>7 Q. Are you ready?</p> <p>8 A. I'm not ready.</p> <p>9 Q. And I'll note again, I'm just asking you about the first page of the document, so tell me when you've had a chance to review that, okay?</p> <p>10 (Document review.)</p> <p>11 A. Okay.</p> <p>12 BY MR. BOWER: [REDACTED]</p>	<p>1 I'm just saying it's a possibility.</p> <p>2 MR. BOWER: E-mailed an attachment?</p> <p>3 MS. FUMERTON: Yeah. The attachments got out of order.</p> <p>4 MR. BOWER: My questions are only on the pages ending in 7245 and 7246, and I'm just trying to figure out how this --</p> <p>5 MR. FAUVRE: Can we get the full Bates number, please?</p> <p>6 MR. BOWER: Who is that on the phone?</p> <p>7 MR. FAUVRE: This is David Fauvre for Endo and Par. Can we get the full Bates numbers?</p> <p>8 MS. FUMERTON: Yeah, David, it starts 245 -- well...</p> <p>9 MR. BOWER: I believe it was in your hard copy production. That might explain it.</p> <p>10 MR. FAUVRE: What's the prefix?</p> <p>11 MR. BOWER: Prefix is a Walmart document, WMT_MDL.</p> <p>12 MS. FUMERTON: I don't know.</p>
<p>13 [REDACTED]</p> <p>14 MS. FUMERTON: Zach, the Bates numbers are out of order. I don't know if that's -- I don't know why.</p> <p>15 MR. BOWER: I'm not sure either, but it's Walmart's production.</p> <p>16 MR. FAUVRE: Could we get the Bates number on the document?</p> <p>17 MR. BOWER: Sure. It starts in 7254 -- the e-mail -- you want to just do the e-mail?</p> <p>18 MS. FUMERTON: Okay. Look, I don't know what this is. I have no personal knowledge and I don't know if it's on our end. My next question is do you have a question with the e-mail, because I do see like it looks -- it looks a little off with the numbers.</p> <p>19 MR. BOWER: Right, right.</p> <p>20 MS. FUMERTON: I'm just wondering if this is an attachment. [REDACTED]</p>	<p>1 MR. BOWER: Okay. Well, why don't -- look, I'm not going to ask any questions.</p> <p>2 MS. FUMERTON: That's fine.</p> <p>3 MR. BOWER: Why don't we just leave it as it is. I don't think there's anything controversial in it.</p> <p>4 BY MR. BOWER: [REDACTED]</p>

Highly Confidential - Subject to Further Confidentiality Review



104 (Pages 410 to 413)

Highly Confidential - Subject to Further Confidentiality Review



105 (Pages 414 to 417)

Highly Confidential - Subject to Further Confidentiality Review

Page 418

3 Q. At this point, the opioid  
4 epidemic had been discussed in the media  
5 frequently, right?

6 MS. FUMERTON: Objection, form.

7 A. I don't -- I don't recall  
8 specifically.

9 BY MR. BOWER:

10 Q. It would have been the subject  
11 of numerous TV shows, numerous books,  
12 numerous political discussions, right?

13 MS. FUMERTON: Objection, form.

14 A. I don't recall.

15 BY MR. BOWER:

Page 420

3 Q. Okay.  
4 (Walmart-Little Exhibit 31  
5 marked.)

6 BY MR. BOWER:

7 Q. You've been handed what's been  
8 marked as Exhibit 31, it's a one page e-mail.  
9 Please take a moment to review it.

10 MR. CIULLO: What's the Bates?

11 MR. BOWER: Yeah, the Bates  
12 number is -- it's a Walmart document  
13 ending in 21571. It's a one-page  
14 document.

15 MR. CIULLO: Thank you.  
16 (Document review.)

17 BY MR. BOWER:

18 Q. Do you see that?

19 A. I do.

Page 419

Page 421

Highly Confidential - Subject to Further Confidentiality Review

Page 422

Page 424

9

Q. Okay.  
(Walmart-Little Exhibit 32  
marked.)

BY MR. BOWER:

Q. You've been handed what's been  
marked as Exhibit 32. Take your time to  
review it. I can tell you that my questions  
are simply focused on the first page at the  
top right there, the cc and the handwriting.

Do you see that?

A. Yes.

Q. This is a contract -- you can  
review it. I don't mean to --

MS. FUMERTON: At least give  
her a chance to see the general --

MR. BOWER: Yeah, yeah.

MS. FUMERTON: It might help

Page 423

Page 425

1 inform your questions.

2 MR. BOWER: Sure.

3 MR. CIULLO: While we're  
4 waiting, can you give me the Bates?

5 MR. BOWER: Oh, yeah, sure.  
6 This is a Walmart document again,  
7 25445 through 447.

8 MR. CIULLO: Thank you very  
9 much.

10 MR. BOWER: Sure.

11 (Document review.)

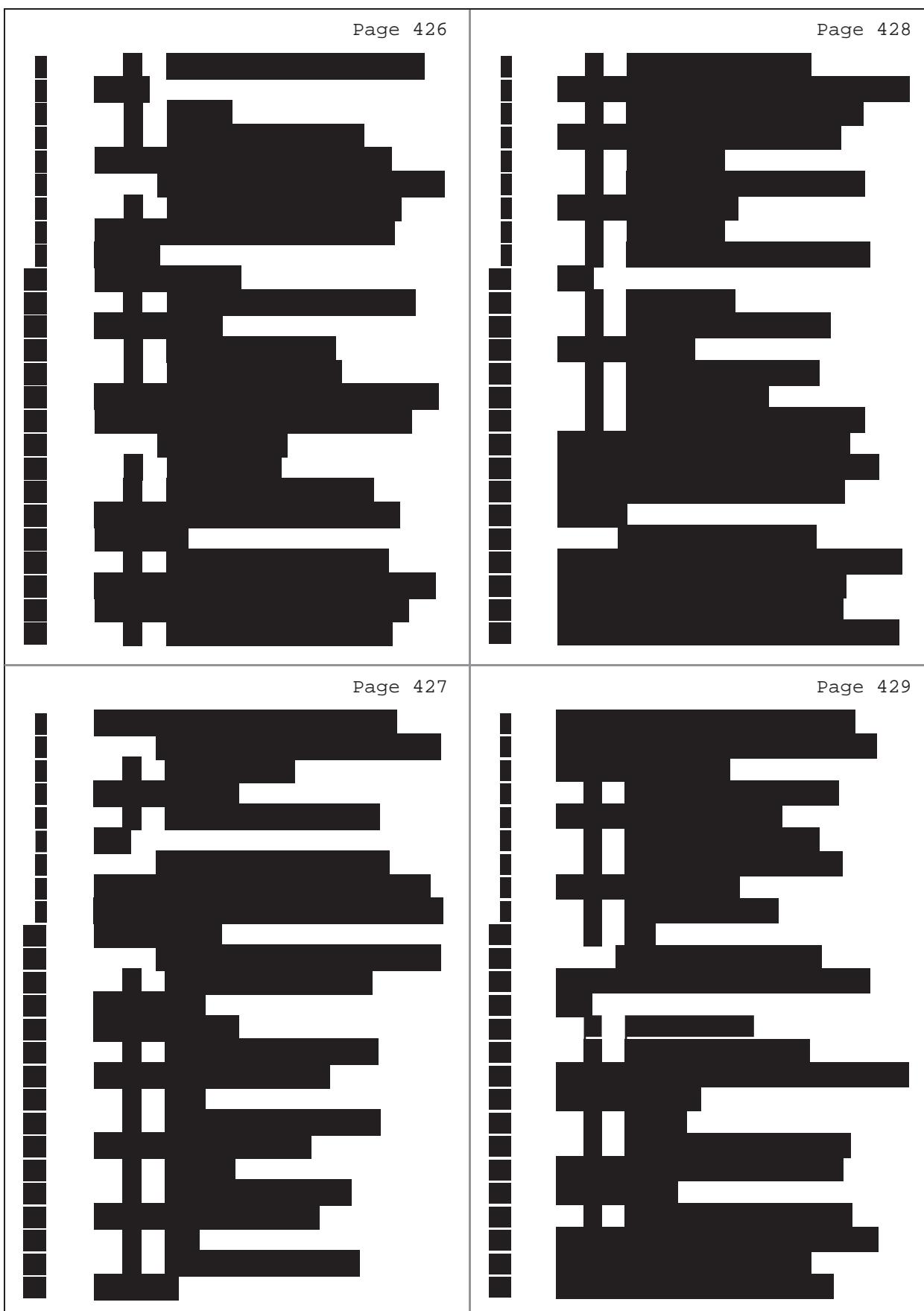
12 THE WITNESS: Okay.

13 BY MR. BOWER:

14 Q. Okay?

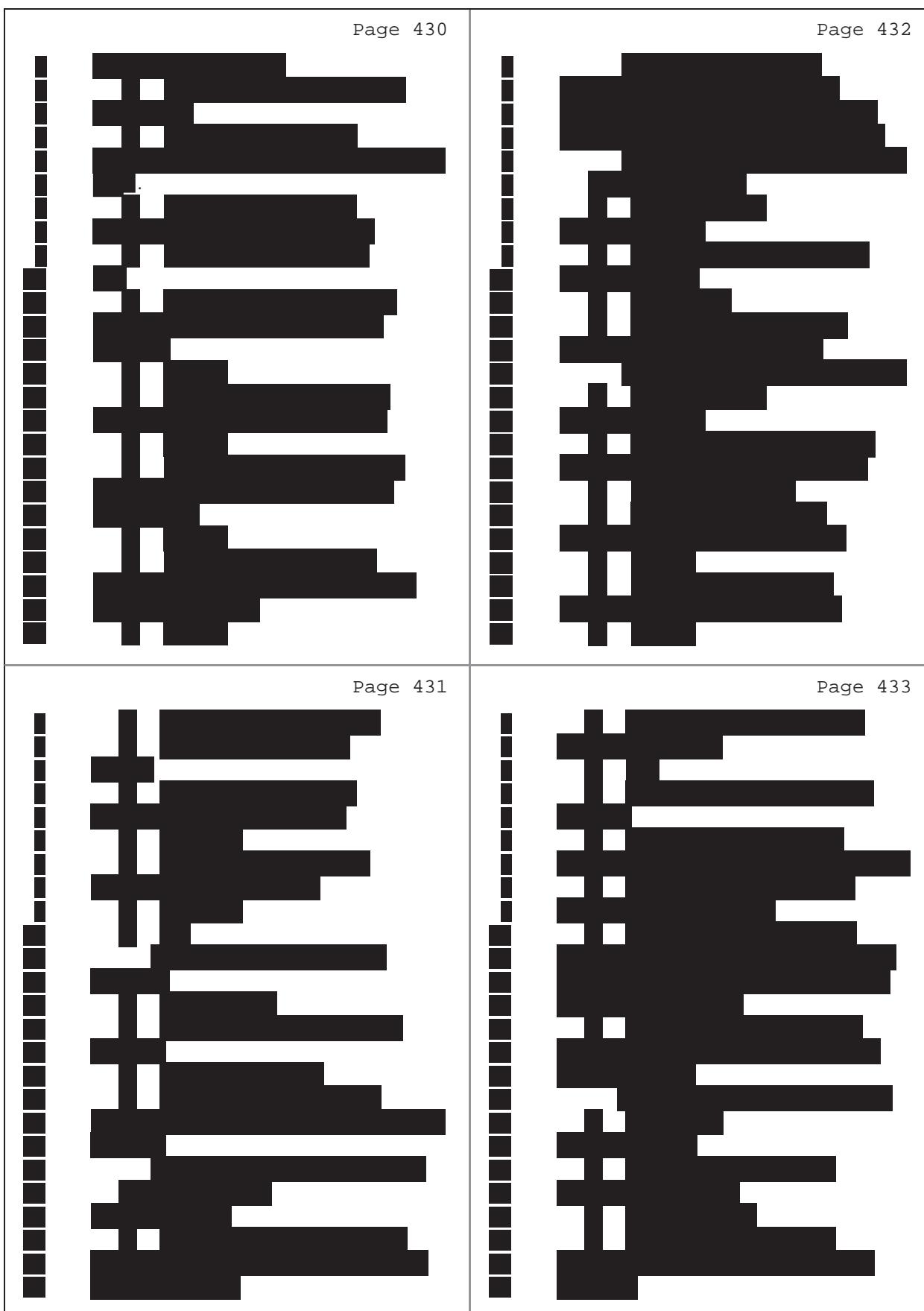
15 A. Yes.

Highly Confidential - Subject to Further Confidentiality Review



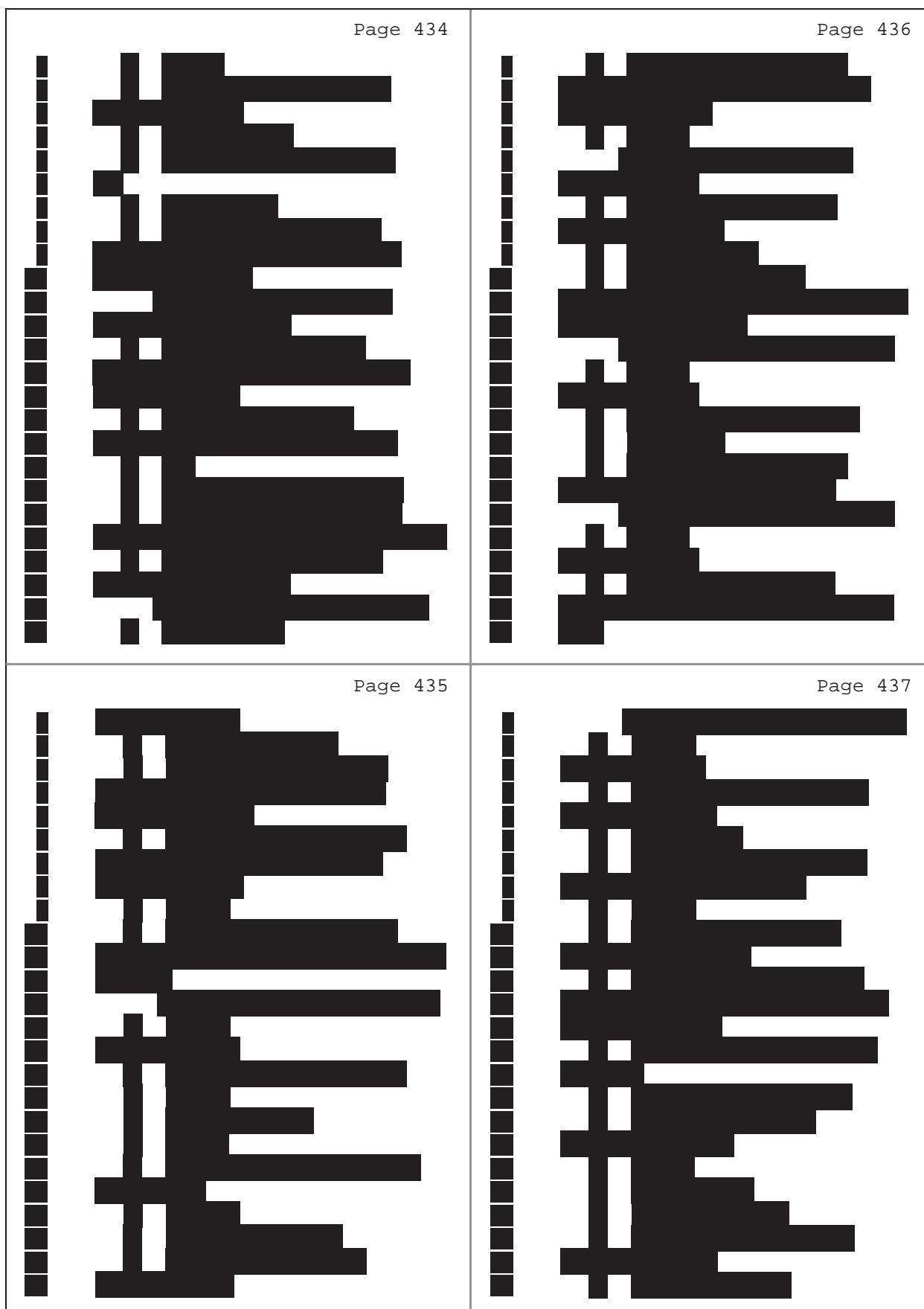
108 (Pages 426 to 429)

Highly Confidential - Subject to Further Confidentiality Review



109 (Pages 430 to 433)

Highly Confidential - Subject to Further Confidentiality Review



110 (Pages 434 to 437)

Highly Confidential - Subject to Further Confidentiality Review

Page 438	Page 440
	<p>23 MR. BOWER: I have nothing 24 further. I think my time is up. Why 25 don't we switch.</p>
Page 439	Page 441

Highly Confidential - Subject to Further Confidentiality Review

Page 442	Page 444
<p>1                   CERTIFICATE      2                   I, MICHAEL E MILLER, Fellow of      3                   the Academy of Professional Reporters,      4                   Registered Diplomate Reporter, Certified      5                   Realtime Reporter, Certified Court Reporter      6                   and Notary Public, do hereby certify that      7                   prior to the commencement of the examination,      8                   PATSY LITTLE was duly sworn by me to testify      9                   to the truth, the whole truth and nothing but      10                  the truth      11                  I DO FURTHER CERTIFY that the      12                  foregoing is a verbatim transcript of the      13                  testimony as taken stenographically by and      14                  before me at the time, place and on the date      15                  hereinbefore set forth, to the best of my      16                  ability      17                  I DO FURTHER CERTIFY that pursuant      18                  to FRCP Rule 30, signature of the witness was      19                  not requested by the witness or other party      20                  before the conclusion of the deposition      21                  I DO FURTHER CERTIFY that I am      22                  neither a relative nor employee nor attorney      23                  nor counsel of any of the parties to this      24                  action, and that I am neither a relative nor      25                  employee of such attorney or counsel, and      16                  that I am not financially interested in the      17                  action      18      19                  MICHAEL E MILLER, FAPR, RDR, CRR      20                  Fellow of the Academy of Professional Reporters      21                  NCRA Registered Diplomate Reporter      22                  NCRA Certified Realtime Reporter      23                  Certified Court Reporter      24                  Notary Public      25      22                  My Commission Expires: 7/9/2020      23                  Dated: December 19, 2018      24      25   </p>	<p>1                   ERRATA      2                   PAGE LINE CHANGE      3      4                   REASON: _____      5      6                   REASON: _____      7      8                   REASON: _____      9      10                  REASON: _____      11      12                  REASON: _____      13      14                  REASON: _____      15      16                  REASON: _____      17      18                  REASON: _____      19      20                  REASON: _____      21      22                  REASON: _____      23      24                  REASON: _____      25   </p>
Page 443	Page 445
<p>1                   INSTRUCTIONS TO WITNESS      2      3                  Please read your deposition over      4                  carefully and make any necessary corrections.      5                  You should state the reason in the      6                  appropriate space on the errata sheet for any      7                  corrections that are made.      8                  After doing so, please sign the      9                  errata sheet and date it.      10                 You are signing same subject to      11                 the changes you have noted on the errata      12                 sheet, which will be attached to your      13                 deposition.      14                 It is imperative that you return      15                 the original errata sheet to the deposing      16                 attorney within thirty (30) days of receipt      17                 of the deposition transcript by you. If you      18                 fail to do so, the deposition transcript may      19                 be deemed to be accurate and may be used in      20                 court.      21      22      23      24      25   </p>	<p>1                   ACKNOWLEDGMENT OF DEPONENT      2      3      4                  I, PATSY LITTLE, do hereby certify      5                  that I have read the foregoing pages and that      6                  the same is a correct transcription of the      7                  answers given by me to the questions therein      8                  propounded, except for the corrections or      9                  changes in form or substance, if any, noted      10                 in the attached      11                 Errata Sheet.      12      13                 _____      14                 _____      15                 _____      16                 _____      17                 _____      18                 _____      19                 _____      20                 _____      21                 _____      22                 _____      23                 _____      24                 _____      25   </p>

112 (Pages 442 to 445)

Highly Confidential - Subject to Further Confidentiality Review

Page 446

1                   LAWYER'S NOTES

2

3       PAGE   LINE

4        \_\_\_\_    \_\_\_\_\_

5        \_\_\_\_    \_\_\_\_\_

6        \_\_\_\_    \_\_\_\_\_

7        \_\_\_\_    \_\_\_\_\_

8        \_\_\_\_    \_\_\_\_\_

9        \_\_\_\_    \_\_\_\_\_

10      \_\_\_\_    \_\_\_\_\_

11      \_\_\_\_    \_\_\_\_\_

12      \_\_\_\_    \_\_\_\_\_

13      \_\_\_\_    \_\_\_\_\_

14      \_\_\_\_    \_\_\_\_\_

15      \_\_\_\_    \_\_\_\_\_

16      \_\_\_\_    \_\_\_\_\_

17      \_\_\_\_    \_\_\_\_\_

18      \_\_\_\_    \_\_\_\_\_

19      \_\_\_\_    \_\_\_\_\_

20      \_\_\_\_    \_\_\_\_\_

21      \_\_\_\_    \_\_\_\_\_

22      \_\_\_\_    \_\_\_\_\_

23      \_\_\_\_    \_\_\_\_\_

24      \_\_\_\_    \_\_\_\_\_

25      \_\_\_\_    \_\_\_\_\_